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Paul

Parliamentary Law

WITH FORMS AND DIAGRAM OF MOTIONS

BY

NANETTE B. PAUL, LL.B.

AUTHOR OF THE HEART OF BLACKSTONE,
OR, THE PRINCIPLES OF THE COMMON LAW

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The Century Co.
1910

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TO MY HUSBAND

Daniel Paul

WHOSE KEEN INSIGHT AND PRACTICAL KNOWLEDGE HAS BEEN A SOURCE OF INSPIRATION IN THE PREPARATION OF THIS BOOK

[X685

"THE want of a work which will give elementary details has long been felt. Manuals stop far short."

COLFAX.

"A BEGINNER does not know the simple things, and needs them most. If the student has once fixed in his mind the idea that parliamentary law is not a series of arbitrary rules—but a plain, consistent system, founded on common sense, and sanctioned by the experience of mankind—he will have gone far toward understanding it."

THOMAS B. REED.

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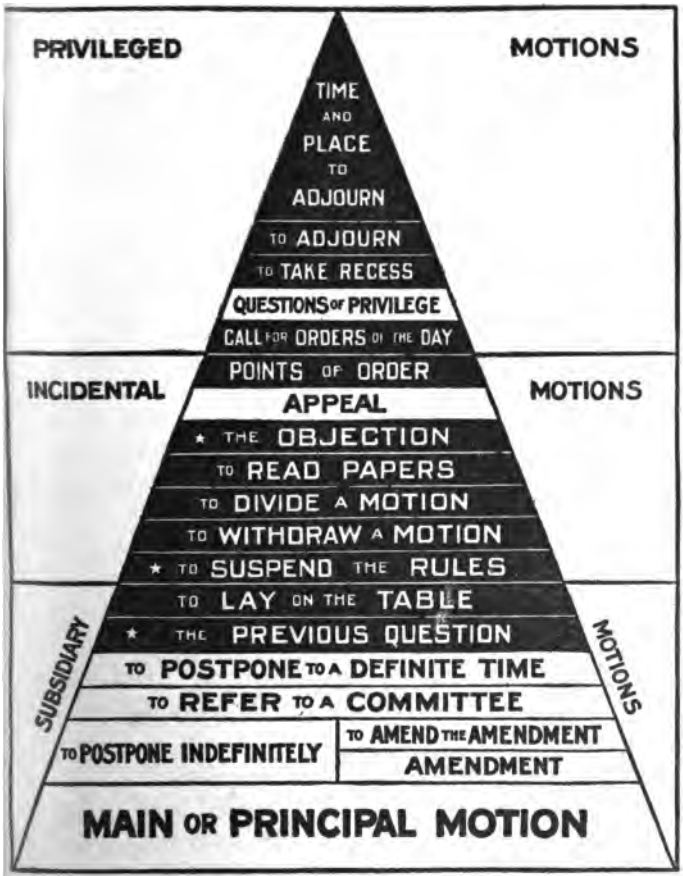
EXPLANATION OF THE DIAGRAM

PARLIAMENTARY procedure is built up on the Main Motion. It is for the consideration of this main proposition that the Assembly came into being. It constitutes the first class, and the other three classes of motions furnish the means for making and keeping the way clear for the favorable disposition of this principal motion.

Therefore the motions, and the four classes into which they are divided, may be represented by the figure of one side of a pyramid.

While the main motion is the most important, still it gives way to every other motion that is presented after it, and is, therefore, said to be of the lowest value. It forms the base of the pyramid, upon which the other motions are placed according to their value, or in the order in which they may be made. The large type shows the four classes of motions arranged according to their relative value. The white spaces indicate the motions which may be debated after having been properly presented and stated by the chair.

DIAGRAM OF PARLIAMENTARY MOTIONS



THE WHITE SPACES DEBATABLE MOTIONS

THE BLACK SPACES UNDEBATABLE MOTIONS.

★ MOTIONS REQUIRING TWO THIRDS VOTE

Copyright 1907 by Nanette B. Paul.

The black spaces indicate those motions which are not open to discussion. The stars show those motions requiring a two-thirds vote for adoption.

The motions to "postpone indefinitely" and the "amendments" are of the same value, and are, therefore, put in the same space.

Each motion on the Diagram, when pending, must give way to any one above it, until the latter is disposed of; a motion below the one pending would not be in order, because lower in rank. If the student fixes the picture of this chart in his mind so clearly that he can see every motion on it, then he will always know if a motion is in order or not as soon as it is made; also whether it is debatable, and if it requires more than a majority vote.

To illustrate: Suppose a motion that we give fifty dollars to the school library (which is a main motion) had been made and stated by the chair.

A motion to refer it to a committee was also pending, when some one moved to lay the question on the table.

By recalling the picture of the chart it is seen that the motion to lay on the table is in order, because it stands above both the main motion and the motion to refer to a committee; also that it is not debatable, while the main motion and the motion to commit may both be debated.

Should some one move to adjourn while all three of the above motions are pending, one would know from the picture that the motion to adjourn was in order, because it is higher on the diagram; also that it is in a black space, and therefore may not be debated.

Every motion must step aside and wait until all others above it which have been made are acted upon.

This diagram has been published in large size, to hang on the wall, for use in schools and clubs.

INTRODUCTION.

PARLIAMENTARY LAW has long been looked upon as a useful science by the few who have been able to make a study of its principles, but it is only in recent years that the great body of people has become awakened to the importance and necessity of acquiring a knowledge of those principles and of the method of applying them.

One of the most distinguishing characteristics of the present age is the tendency to organization. There are not only the numerous legislative assemblies common to all democracies, but every profession, art, trade, the men from the mills and fields, the women in the home, the students in the schools—all are organizing, either for the purpose of promoting their interests, for enlarging their knowledge, or for protecting their rights.

Whatever may be the dignity and influence of the organization, whether a world's congress, or a school-boy's club, a national convention, or a woman's sewing society, the object pecuniary profit, instruction, or pleasure, the custom or law by which they are governed is the same. They must all recognize and conform to the few great

fundamental principles upon which this procedure is based. These are:

First: Equality of membership; that is, each member in an organized body has an equal right to present motions, to take part in debate, to obtain recognition from the chair, and to be protected from personalities and favoritism.

Second: The personality of every member is merged into the larger unit of the organization. He is known as the member who spoke last, not as Mr. Jones or Mr. Smith.

Propositions are more important than personalities.

Third: Every proposition presented for consideration carries with it the right to full and free debate.

Fourth: The will of the majority must govern.

Fifth: But one thing may be before the assembly at a time.

These principles have been evolved by the experience of centuries, and the knowledge of them, and of the method of applying them, is both desirable and essential to all who desire to take an efficient part in the numerous organizations of the present time. This knowledge, heretofore, has been difficult of attainment; there have been very few instructors; and while there are a number of complete treatises, it has not yet been put in the simple form required for beginners.

The majority of organizations to-day are composed of men and women who have not had the mental training that would enable them to comprehend the subject as it is set forth in the more or less philosophical manuals. It is for these, and the young students in our schools and colleges that this work has been prepared.

The author has found in her experience as instructor, both of the young student and the well-educated man and woman, a real need and an earnest desire for a simpler presentation of this puzzling, rather than difficult, subject. She has been repeatedly urged to put her method of teaching in permanent form, and this text-book is the response to that request.

She desires to acknowledge her indebtedness to Jefferson's Manual of Parliamentary Practice, Asher C. Hinds' Digest and Manual of The Rules and Practice of the House of Representatives of the United States, Cushing's Manual, Roberts' Rules of Order, Waples' Handbook of Parliamentary Practice, Reed's Rules, Stevens' Law of American Assemblies, and lastly to Mrs. John F. Lewis, the pioneer of the method of teaching parliamentary law with a Diagram of Motions, and from whom the author received the impulse to master the subject, and to help others to a working knowledge of the same.

NANETTE B. PAUL.

Washington, D. C., February, 1908.

CHAPTER I.

CLASSES OF MOTIONS AND FORMS.

"Parliamentary Law is no longer vague and uncertain. It is now a branch of the common law, and as well settled as any other. It may be known and determined beforehand, with facility and certainty." LUTHER S. CUSHING.

EVER since Civilized Man has come together in meetings, large or small, to consider the needs of his material welfare, or to promote the growth of his mental and spiritual being, some form of government, or method of orderly procedure, has been necessary, that the business in hand may be facilitated, and the members may have equal rights and equal protection.

A body of rules for this purpose has been in existence for many generations, and among English-speaking peoples it is known by the name of Parliamentary Law, or the Law of the English Parliament. When our country was settled by

the English people, they brought that system of law with them, and adapted it to the exigencies of their new home. It became the foundation of our present Parliamentary Procedure, altho we do not now go back that far for all our authority.

Thomas Jefferson first arranged a code adapted to the need of our National House of Representatives, and Jefferson's Manual is still the ultimate authority for legislative assemblies. Since then, however, there have been various treatises published to meet the growing demand for such knowledge, as arranged and adapted to the requirements of voluntary societies, clubs, etc.

As our Civil, so our Parliamentary Law is divided into two classes, Common and Special.

The first contains the general principles; what motions can be made; the order in which they may be introduced; which are debatable; what the effect, and so forth; while the latter is composed of those special rules adopted by each society as specially suited to its individual needs.

The practice of our National House of Representatives has the same authority in this country as the usage of the House of Commons has in England, in establishing the general principles of the common parliamentary law; but the matters of detail must be left to the various societies, legislative, religious, scientific, or literary, to arrange for themselves. Therefore, we find that the prac-

tice of the Senate differs from that of the House of Representatives, and both vary in some particulars from the State Legislative Assemblies; while voluntary societies find many of these rules cumbersome, or inadequate to the expression of their sense or judgment.

Parliamentary Law.

Parliamentary Law may then be defined as the science relating to the government of Legislative and Deliberative assemblies.

It is of two kinds, Common and Special.

Common Parliamentary Law is that usage and practice which is of universal application.

Special Parliamentary Law consists of rules adopted by a particular body and recognized by that body alone.

Special rules are of higher authority than the general law, and in case of conflict supersede the latter.

In practice, parliamentary law is applied by means of motions.

Motions.

A motion is the statement of a proposition for the consideration and action of the assembly.

They are divided into four classes:

Main or Principal, Subsidiary, Incidental, and Privileged.

Main Motion.

A Main Motion is an original proposition submitted by a member for action by the assembly.

While this is pending, or until it has been adopted, rejected, or otherwise disposed of, no other main motion may be introduced.

It is of the lowest value, and yields to all other motions. But it may have been stated in such a form that the assembly would not wish to vote either yes or no; the members may want to change its form or significance, by amending or modifying it; may think it should be put into the hands of a committee for more careful consideration than the assembly itself could give it; may desire more time, and, therefore, wish to postpone the whole question until the next meeting, or may not want to consider it at all. Such emergencies are met by the second class of motions.

Subsidiary Motions.

Subsidiary, or Secondary Motions, are such as may be applied to other motions for more readily disposing of them. They take precedence, that is, they must be decided before the principal motion or question to which they are applied is acted upon.

They yield, however, as seen by the chart, to the two higher classes, Incidental and Privileged.

Incidental Motions.

While a main motion is pending, a member may wish to read, or have read, before the assembly some paper or papers which have a bearing upon the subject matter; the motion may have contained two or more clauses, any one of which would make a complete motion more easily disposed of than while in the original form; the mover may wish to withdraw it altogether; the assembly may deem it wise to suspend the rules for a fuller consideration of the subject; or, some breach of order may have occurred which demands immediate attention.

These needs are all supplied by the third class, the Incidental Motions.

They are such as arise out of other questions, and must be decided before the motions from which they spring are acted upon.

They have no relative value among themselves, but all yield to the last and highest class, the Privileged Motions.

Privileged Motions.

This last class represents those motions which, from their importance, are entitled to take the

place of any other subject or proposition under consideration, until they can be decided by the assembly. This importance may come from some question relating to the rights or privileges of the assembly, or of its individual members; from the necessity of proceeding immediately to the program of the day, as prearranged; or, it may be due to the importance given to the particular motion as a matter of convenience, as, for instance, the motion to adjourn.

Forms.

In every assembly, society, or club, whatever its origin or purpose, all business transacted, or propositions considered, must come before it in the form of motions. A mere suggestion, or a statement, that "I think so and so," has no value, and cannot claim the serious attention of the assembly.

A certain correct form is essential to give the matter importance, force, and dignity.

There are four stages through which all business must pass, in order that the members may know exactly what has been, or is being, accomplished. A member who understands how to present correctly a motion from the floor, need never hesitate to participate in the ordinary work of the society; and a presiding officer who can

state a question correctly, put it to vote in a proper manner, and announce the result of such vote, clearly and accurately, will always be able to control the assembly, and will receive the credit of knowing a great deal about parliamentary law.

These forms vary slightly, but if one learns those that are brief, clear, comprehensive, and dignified, he will find them equal to all occasions; should he then desire to change them, he will be able to do so without running so great a risk of making mistakes.

These four steps are:

First: To present a motion from the floor.

Second: To state the motion by the presiding officer.

Third: To put the question to vote.

Fourth: To announce the result.

To Present a Motion.

In order to present a motion, the member must rise in his place, address the chair, as Mr. President, Mr. Chairman, or by whatever title the presiding officer is known in that particular society, then wait for recognition by him.

This is called obtaining the floor, and usually no one has a right to take part in debate, present a motion, or be heard in any manner, until he has been recognized by the chairman. When he has

thus secured the privilege of speaking, he may not then be interrupted by the president, or any other member, so long as he does not violate the rules of order of the society, except in a few instances, which will be explained later.

He will then present his motion as follows:

"Mr. President: I move that we organize a club for the study of birds."

If this motion is not seconded the president need not state it, although he may do so, and in matters of routine business he does not usually wait for a second.

A motion, however, has no force until seconded; this is usually done by one or more members, from their seats, as it is not necessary to secure recognition from the chair for this purpose.

Until it is seconded, the mover may modify it as he chooses, or may withdraw it altogether. After it is seconded, however, it belongs to the mover, and the member making the second, and can be withdrawn only with the consent of the latter. He can withdraw his second, should the mover change the motion in a material way.

To State a Motion.

The presiding officer then states it in the following manner: "It has been moved and second-

ed that we organize a club for the study of birds; are you ready for the question?"

That is, are you ready to vote on the question at once? do you wish to debate it? or do you wish to dispose of it in some other manner?

After a motion has been thus stated by the chair, it becomes the property of the assembly. The mover and second have no more right to it than any other two members, and it cannot be withdrawn except by a formal vote of the society; neither can it be disposed of in any manner, except as provided by parliamentary procedure.

The president may state a motion while sitting, but it is always better, especially in a large hall, where there are many members present, for him to stand while doing so.

To Put the Question to Vote.

After every member has had an opportunity of discussing or speaking to the question, for every main motion is debatable, the third step is taken when the chairman puts it to vote, thus:

"The question is on the adoption of the motion, that we organize a club for the study of birds; all in favor say aye." When the vote is taken, he adds: "All opposed say no."

While the chair may sit to state a motion, the universal custom is for him to stand when putting the question to vote.

To Announce the Result.

After the vote is taken, the result should be announced, clearly and distinctly, by the chair.

This is the fourth and last step, but by no means the least important. In many societies confusion arises because of the neglect of the presiding officer to make known the result of the vote in a voice which can be heard in all parts of the room.

Mistakes have been made in the record, and much trouble caused, by neglecting this important detail in the conduct of business.

The form is simple: "The ayes have it, and the motion is adopted"; or

"The noes have it, and the motion is lost."

While the motion is pending, it is known as *The Question.*

When it embraces a command of the society for doing something, paying the gas bill, for instance, it is called an *Order.*

The whole form then is as follows:

"Mr. President: I move that we organize a club for the study of birds."

Another member seconds it.

"It has been moved, and seconded, 'That we organize a club for the study of birds.' Are you ready for the question?"

"The question is on the adoption of the motion,

'That we organize a club for the study of birds.' All in favor say aye."

"All opposed say no."

"The ayes have it, and the motion is adopted"; or, "The noes have it, and the motion is lost."

Motion or Resolution.

There is no practical difference between a motion and a resolution, except that the latter is more formal, and, under certain circumstances, better expresses the sense of the society. When this form is used it should be preceded by the word *Resolved.*

A member would introduce a resolution in the following words: "Mr. President, I move the adoption of the following resolution: Resolved, That we extend the thanks of this society to Mr. Blank for his generous donation of five hundred dollars toward our new club-house."

The main motion or resolution should always be in writing, if at all long or involved; and, indeed, the secretary should take down every motion as soon as made. In this way only can confusion and misunderstandings be avoided.

Either the chair, or any member, may require an original proposition to be reduced to writing.

One Thing at a Time.

One universal rule of parliamentary procedure, and one which insures the orderly conduct of business and the complete comprehension of the subject under consideration, is that there must be but *one thing* before the house at a time.

When one main motion has been properly presented, seconded, and stated by the chair, any other main motion, regardless of its importance, is out of order until the first has been properly disposed of. The yielding of a main motion to those of a higher class, when they are in order, is only a temporary suspension, and as soon as they are acted upon the main motion resumes its place, unless the adoption of a subsidiary motion permanently removes it, as in the case of referring the subject to a committee.

But while such subsidiary, or privileged motion is pending, the rule of "one thing at a time" still obtains, for there should be no consideration of the main motion until the motion last introduced has been acted upon.

Equality of Membership.

Another fundamental rule of parliamentary law is to the effect that all members of an organized body are of equal standing and have equal rights.

This means that each one has the same right to present motions, to speak to all debatable questions until his privileges are exhausted, and to take part in any action which becomes necessary for the transaction of business.

The presiding officer should be impartial, and recognize the member who first rises and addresses the chair. If two rise at the same time, he must decide fairly between them, but his decision is open to an appeal, and liable to a reversal by vote of the assembly.

Propositions.

Parliamentary Law deals with propositions and principles, not with personalities. It has no place for favoritism of any kind. The personality of the members is merged into the unit of the organization.

Right to the Floor.

A member who has risen, and remained standing, while another member has been speaking, should not be recognized if another rises and addresses the chair immediately upon the yielding of the floor by the speaker.

There should be but one member on the floor

at a time; when a member rises the presiding officer should sit down; two members should not stand simultaneously, as but one has obtained possession of the floor.

"To assist an assembly to accomplish its work, it is necessary to restrain the individual. Where there is no law, but every man does what is right in his own eyes, there is the least of real liberty." HENRY M. ROBERT.

"The object which a body of men assembled together has in view when it organizes, is to provide itself with means whereby it may express its opinions, facilitate and control its actions, and accomplish the purpose of the meeting. The organization therefore should be adapted to the work to be done."

THOMAS B. REED.

CHAPTER II.

SUBSIDIARY MOTIONS.

"To become a parliamentarian, one must have a ready knowledge of motions, their rank, purpose, and effect. Any one who possesses it can preside over a deliberative body with ease and skill, or take part in the proceedings."

JOHN L. BRANCH.

THE subsidiary motions are those used to advance business by helping to dispose of the main motion, after it has been properly presented and stated. They have a certain precedence among themselves, and may be made in the order in which they are arranged in the diagram. They are:

Indefinite Postponement,
Amendment,
Amendment to the Amendment,
To Refer to a Committee,
To Postpone to a Definite Time,
The Previous Question.
To Lay on the Table.

Indefinite Postponement.

The Indefinite Postponement and the Amendments are of the same value; that is, if the motion to amend the main motion has been made, the motion to postpone the question indefinitely would not be in order; or, if it had been moved to postpone the consideration of a question indefinitely, and the motion had been sconded, and stated by the chair, a motion to amend the original motion could not be then entertained.

The motion to Postpone Indefinitely cannot be amended, but may be debated. It yields to all the Privileged Motions and to the Subsidiaries, except the Amendment, and the Amendment to the Amendment. Its purpose is to suppress the question entirely, and as every main motion, properly presented, has the right of debate and of some final action, this motion, the object of which is to prevent such action, is not only debatable in itself, but also opens up the entire subject for discussion.

It is applied only to the main motion, Questions of Privilege, and the Appeal.

It is in order any time after the main motion is stated. While it cannot be made when an amendment is pending, it may be made immediately after the amendment or amendments are either adopted or rejected.

If the motion to postpone indefinitely, when in order, prevails, then the original motion is moved from before the assembly for the entire session.

Should the session consist of but one meeting, or of several, extending over several days, weeks, or months, as in the case of the U. S. Congress, the original motion may not be again introduced during that time.

It is one of the motions whose object is to protect a society from the waste of time consequent upon the consideration of questions which are unnecessary, frivolous, likely to breed ill-feeling among the members, etc.

It differs from the incidental motion, to object to the consideration of the question, in that it may be made after the main motion has been discussed and amended.

After the main motion has been indefinitely postponed it can be brought in at the subsequent session only as new business; that is, in the same manner as though it had never been under consideration at all.

Form of Indefinite Postponement.

The form of the motion is as follows:

"Mr. President: I move to postpone the consideration of the motion, 'That we organize a club to study the habits of birds' indefinitely"; or the

briefer one: "I move the indefinite postponement of the question."

"It has been moved, and seconded, to indefinitely postpone the question. Are you ready for the question?"

"All in favor of postponing the question, 'That we organize a club to study the habits of birds' indefinitely, say aye."

"All opposed say no."

"The ayes have it, and the question is indefinitely postponed"; or, "The noes have it, and the motion to postpone is lost. The question recurs to the original motion, 'That we organize a club for the study of the habits of birds.' Are you ready for the question?"

Amendments.

The motions to Amend the main motion, and to Amend the Amendment, are of the same value as the Indefinite Postponement, but yield to the other Subsidiary and Privileged Motions. They are always debatable, and the first is, of course, amendable.

There are three methods of amending a motion:

By Addition.

By Elimination.

By Substitution.

There is no limit to the number of amendments

that may be made to the main motion, but only one may be considered at a time. An amendment to the amendment displaces the amendment to the main motion for the time being. After the secondary amendment, or the amendment to the amendment, is disposed of, the question recurs to the primary amendment, or the amendment to the main motion, which is still subject to new motions for its further amendment.

All motions to modify or amend must be germane; must have a bearing upon the subject under consideration, but they may be in direct conflict with its spirit.

Thus the resolution, "Resolved, That the public school exerts an elevating influence upon the morals of our young people," may be amended to read thus:

"Resolved, That the public school exerts a debasing influence upon the morals of our young people."

This is, however, a perversion of the true purpose of the amendment, which is to aid and perfect the antecedent proposition, and render its adoption more desirable.

"No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment."—Rule XVI, 7, U. S. House of Representatives.

When the amendment proposed is of such a

nature as to make a new proposition, it should be ruled out of order for irrelevancy. The pending motion may not be supplanted by another motion in the form of an amendment; what cannot be done directly should not be done indirectly. An amendment, whether by addition or substitution, to be relevant, must be on the same subject-matter as the original motion, resolution, order, or bill.

This gives sufficient scope for all the alteration that a motion will admit of, without changing its inherent significance.

A resolution must always be presented in the affirmative form; therefore, an amendment to insert the word "not," when proposed for the sole purpose of bringing the negative instead of the affirmative to vote first, should be ruled out of order.

As a general principle, to be followed almost invariably, negative amendments are not permissible. But should a motion be presented in the negative form, an amendment to change it to the affirmative should immediately follow, and be adopted, in order to avoid confusion in the vote.

While an unlimited number of amendments may be entertained, but one of the same degree can be pending at the same time. So soon as it is voted upon, another may be made and considered; and so on indefinitely, or until the motion answers the needs of the assembly.

Each amendment, when seconded, and stated by the chair, becomes a new question, upon which all members have a right to speak. The debate, however, should be confined to the amendment, as nearly as is practicable; the one exception to this rule being in the case of an amendment by substitution, when both the amendment and the main motion are equally open to discussion.

An amendment is in order immediately after the motion to be modified has been stated by the chair, and until the negative vote has been taken upon it.

Amendment by Addition.

A motion is amended by Addition whenever words, phrases, sentences, or whole sections, are added or inserted. Such additions should be carefully prepared before offered, as when they are once adopted, and incorporated into the main motion, they cannot then be changed, except by a motion to reconsider the vote by which they were adopted. The motion to reconsider must be made at the meeting at which the amendment was adopted, or at the next succeeding meeting; and then only when no action has been taken by the society because of the adoption of such amendment.

The words added or inserted must be consecutive.

Form of Amendment.

The form of an amendment by addition is as follows:

"Mr. President: I move to amend the motion, 'That we organize a club to study the habits of birds,' by adding the words, 'in the District of Columbia.'"

When seconded, the chair states it thus:

"It has been moved and seconded to amend the motion, 'That we organize a club to study the habits of birds,' by adding the words, 'in the District of Columbia'; are you ready for the question?"

There are now two motions pending, but they do not violate the rule for one thing at a time, because the amendment is one degree higher in value than the main motion (see the chart), and, therefore, is the only question immediately before the assembly.

The main motion is in abeyance until the amendment is disposed of.

When there has been full and free discussion of the amendment, the chair puts it to vote in the following words:

"The question is on the adoption of the amendment, that the words 'in the District of Columbia' be added to the motion 'That we organize a club to study the habits of birds.'

"All in favor say aye." The members in favor vote "aye."

"All opposed say no." Those not wanting to limit it to the District of Columbia, vote "no." The result is then announced. If the majority vote for it, the chair says, so it can be heard in all parts of the hall:

"The ayes have it, and the amendment is adopted. The question now recurs, that is, returns to the motion as amended, 'Resolved, That we organize a club to study the habits of the birds of the District of Columbia.' Are you ready for the question?"

In referring to the chart, it will be seen that there was, first, one motion, the main motion, but it was of the lowest value, and, therefore, must yield, for the time being, to any other motion which stands above it. The amendment is but one line above, but that indicates its power to displace the main motion, until it is adopted or rejected. By adopting it, it became a part of, and was incorporated into, the main motion.

Now it will be readily seen that there is but one question again—the main motion, as modified or altered, by the adoption of the amendment—which is open to further discussion, and the application of other amendments, if desired.

Or, suppose the majority of the society did not wish the limitation of the study to the District

of Columbia, but wanted to study the habits of all birds, wherever found, and, instead of voting aye, or yes, gave their vote in the negative. Then the result would have been:

"The noes have it, and the amendment is lost. The question recurs to the original motion, 'That we organize a club for the study of the habits of birds.' Are you ready for the question?"

The question now, is in the same condition as before the amendment was proposed and acted upon. It has not been in any way affected by the delay. Further debate, and other amendments, if any are needed to perfect it, are again in order.

Amendment by Elimination.

The second method of amending is by Elimination, or striking out. Suppose the original main motion had been: "Resolved, That we organize a club to study the habits of animals and birds." Some member would surely think that too large a subject, and would propose an amendment to strike out a part of it. He could present his amendment in this way: "Mr. President: I move to amend the motion,. 'That we organize a club to study the habits of animals and birds,' by striking out the words 'animals and.'" After hearing a second, the chair would state it thus:

"It has been moved, and seconded, to amend the

motion, 'That we organize a club to study the habits of animals and birds,' by striking out the words 'animals and.' Are you ready for the question?"

There are now two motions, the main motion, and the amendment. When debate has been exhausted, the chair will put the amendment to vote thus:

"The question is on the adoption of the motion to amend by striking out the words, 'animals and'"; or "The question is on the adoption of the amendment to the motion 'That we organize a club to study the habits of animals and birds,' by striking out the words 'animals and.' All in favor say aye."

If a majority vote in favor, the result should be announced as follows:

"The ayes have it, and the amendment is adopted. The question now recurs to the motion as amended, 'That we organize a club to study the habits of birds'; are you ready for the question?"

The amendment has been brought down and made a part of the main motion, not by adding something to the latter, but by eliminating, striking out, or taking away, a part of it.

The main motion, as thus amended, is again before the assembly, ready for further discussion, amendment, or the application of any other subsidiary motion.

Had the majority been in favor of making a

study of both birds and animals, in the prospective club, they would have voted against the amendment, and the result would have been expressed thus:

"The noes have it, and the amendment to strike out the words 'animals and' is lost. The question recurs to the original motion, 'Resolved, That we organize a club to study the habits of animals and birds.' Are you ready for the question?"

The main motion has been in no way affected by the rejected amendment, but resumes the place it occupied before the amendment was offered, and is open to any disposition that may suggest itself to the society.

Amendment by Substitution.

The third method of amendment is by Substitution; that is, by striking out words, phrases, and paragraphs, and inserting other words, phrases, or paragraphs, in the places left vacant.

Suppose, when the original motion, "That we organize a club to study the habits of birds," was under consideration, some of the members wanted such a club, and did not want to study the habits of birds, but preferred to study animals; they could make their inclinations known, and secure a vote on them, by offering an amendment to substitute animals for birds, in this way:

"Mr. President: I move to amend the motion,

'That we organize a club to study the habits of birds,' by striking out the word 'birds' and inserting the word 'animals.' " When seconded, the chair would state the amendment thus:

"It has been moved, and seconded, to amend the motion, 'That we organize a club to study the habits of birds,' by striking out the word 'birds' and inserting the word 'animals.' Are you ready for the question?"

After sufficient time for discussion, which should be confined to the amendment—that is, which they wish to study most, animals, or birds —the amendment is put to vote thus:

"The question is on the adoption of the amendment to the main motion, to strike out the word 'birds,' and insert the word 'animals.' All in favor of the amendment say aye."

"All opposed say no."

If the majority vote in favor, the result is announced thus:

"The ayes have it, and the amendment is adopted. The question recurs to the motion as amended, 'Resolved, That we organize a club for the study of animals.' Are you ready for the question?"

The motion to organize a club is still before the assembly, but its purpose has been changed by the adoption of the amendment by substitution, from the study of birds to the study of animals.

If, however, the majority were not in favor of the amendment, and voted against its adoption, the result, as announced, would be:

"The noes have it, and the amendment is rejected, or lost. The question recurs to the original motion, 'Resolved, That we organize a club to study the habits of birds.' Are you ready for the question?"

The subject is in the same condition, as regards amendment, debate, or the application of other subsidiary motions, as existed before the substitute amendment was proposed, and should be finally disposed of by formal vote.

An Amendment by Substitution may involve the striking out everything after the word "Resolved," and substituting an entire new proposition, but such proposition must conform to the law of relevancy, and be on the same subject as the original motion.

Suppose, when the motion, "Resolved, That we organize a club to study the habits of birds," was being considered, the point was made by some present that an organization, however simple, entailed certain responsibilities, duties, etc., which might become irksome; that they would enjoy such study as was proposed, but did not wish to become a member of any formal club, society, or organization; a substitute amendment of this kind might embody their idea:

"Mr. President: I move to amend the motion, 'That we organize a club to study the habits of birds,' by striking out everything after the word 'Resolved,' and substituting the following: 'That we ask Professor Blank to conduct a class in the study of birds, on such occasions as suit his convenience, such class to be open to all interested in the subject.'"

When seconded, the chair would state it thus:

"It has been moved and seconded to amend the motion, 'That we organize a club to study the habits of birds,' by striking out everything after the word 'Resolved,' and substituting the amendment just submitted" (reading it). "Are you ready for the question?"

This is the one case where both amendment and main motion are open to discussion; it would manifestly be impossible to separate them. After debate has been exhausted, the chair would put the amendment to vote thus:

"The question is on the adoption of the substitute amendment" (reading it). "All in favor say aye." "All opposed, no."

If the ayes have it, the result would be announced thus: "The substitute amendment is adopted. The question recurs to the motion as amended, 'Resolved, That we ask Professor Blank to conduct a class for the study of birds, on such occasions as suit his convenience, all

persons interested admitted.' Are you ready for the question?"

This may be debated, and further amended by addition; and when ready for voting, the chair puts it in the usual way.

It is often difficult for students to see the need of the second vote on a substitute amendment. They say that adopting it disposes of the subject. It does not do so, however. The word "resolved" gives life to a motion; in this case the vote on the amendment did not affect it, as it was expressly stated "to strike out everything after the word 'resolved.'" Hence the second vote is on the resolution as amended, although there was but the one word of the original motion not adopted. Since, however, it is the most important word, the second vote must be taken.

Should a member desire to submit an amendment, but be unable to do so, because of one already pending, he may state his intention of doing so after the one before the assembly is acted upon.

Amendment to the Amendment.

The amendment in the second degree, or motion to amend the amendment, by reference to the chart, is seen to be in the space above the

amendment to the main motion, indicating its higher value; that is, that it will be in order while the primary amendment is pending.

The secondary amendment is subject to all of the foregoing rights and restrictions characterizing the amendment to the main motion, including the three methods of amending: Addition, Elimination, and Substitution.

The amendment to the amendment may be withdrawn by the mover before it is stated by the chair, or upon motion to withdraw after having been stated, as all other motions are withdrawn. When made, it takes precedence of the amendment and the main motion; that is, it must be put to vote before they are voted upon. It yields to all subsidiary and privileged motions above it.

Only one amendment to the amendment may be pending at a time, although another may be offered as soon as that one is disposed of, and so on, indefinitely.

The forms of the amendments should be thoroughly mastered by the student, in order to keep the exact status of the question before the house in mind. An illustration is given below, which should be used for practice until it is so well known that a mistake would not be possible in putting through a main motion and two amendments.

Form of Amendment to the Amendment.

We will use our familiar motion, "Resolved, That we organize a club to study the habits of birds." An amendment is offered thus:

"Mr. President: I move to amend the motion by adding the words, 'in the District of Columbia.'" When seconded, the chair states it:

"It has been moved, and seconded, to amend the motion, 'That we organize a club to study the habits of birds,' by adding the words, 'in the District of Columbia.' Are you ready for the question?"

We have now two motions pending, the main motion, and the motion to amend it. They are both in order, for the reason that the first only is a main, or principal motion; the second, as the diagram indicates, is of higher value; therefore, the first must yield to it for the time being, while the amendment must be displaced, in turn, by any motion above it.

Suppose some one wishes to enlarge the field of study to the birds of Maryland; he could bring his desires before the meeting, for consideration, by proposing the following amendment of the second degree:

"Mr. President: I move to amend the amendment by adding the words, 'and Maryland,' so that, if adopted, the amendment will read, 'in the

District of Columbia and Maryland.' When seconded, it would be stated thus:

"It has been moved, and seconded, to amend the amendment by adding the words, 'and Maryland,' so that the amendment will read, 'in the District of Columbia and Maryland.' Are you ready for the question?"

When the discussion has ceased, the question would be put thus:

"The question is on the adoption of the amendment to the amendment, to add the words 'and Maryland.' All in favor say aye."

"All opposed, no."

If a majority wish to study the birds of Maryland, as well as those of the District of Columbia, and so voted, the result would be announced like this:

"The ayes have it, and the amendment to the amendment is adopted. The question now recurs to the amendment as amended, 'That we add the words, "in the District of Columbia and Maryland."' Are you ready for the question?"

There were three motions pending, the main, and the two subsidiaries, or amendments, whose purpose was to perfect the main motion. The subsidiary of the higher value has been adopted, and its provisions incorporated into the one of lower value, so that now but two motions are

before the house: the main, and the amendment as it has been amended.

The latter is still open to discussion and amendment, but if nothing further is offered the chair would put it to vote thus:

"The question is on the adoption of the amendment as amended, to add the words, 'in the District of Columbia and Maryland.' All in favor say aye."

"All opposed, no."

The result, as announced, would be thus:

"The ayes have it, and the amendment, as amended, is adopted. The question now recurs to the main motion, as amended, 'That we organize a club to study the habits of birds in the District of Columbia and Maryland.' Are you ready for the question?"

The main motion has been in abeyance during the time the two motions of higher value were under consideration; as soon, however, as they are disposed of, it resumes its natural place, and demands proper action.

After further debate or amendment, and when it fully meets the needs of the assembly, the chair would put it to vote in the usual way:

"The question is on the adoption of the motion as amended, 'That we organize a club to study the habits of birds in the District of Columbia and Maryland.' All in favor say aye."

"All opposed, say no."

If the vote was in the affirmative, he would announce the following result:

"The ayes have it, and the motion, as amended, 'That we organize a club to study the habits of birds in the District of Columbia and Maryland,' is adopted."

But suppose, when the amendment to the amendment was offered, the majority was opposed to extending the study outside the limits set by the first amendment, then the vote on the amendment to the amendment would have been in the negative, and the result, as announced, would have been as follows:

"The noes have it, and the amendment to the amendment is lost. The question recurs to the original amendment, that the words, 'in the District of Columbia,' be added. Are you ready for the question?"

In other words, when the amendment to the amendment was rejected, the amendment of the first degree resumed its place, as though it had not been superseded by one of a higher value. Action would continue then as above explained.

The Amendments are the most difficult of all motions in Parliamentary Law, and more practice should be required on presenting, stating, putting them to vote, and announcing the result, than on all the others combined.

"If a paragraph is inserted it should be satisfactory to its friends; as, after an affirmative vote, it cannot be struck out. Nor can it be afterwards amended, except by adding to it."

AINSWORTH.

"The proper use of the Amendatory Motion is to aid and perfect the measure to which it is applied; to befriend the antecedent proposition, and render it more worthy of support and adoption."

RUFUS WAPLES.

"When questions are perfectly equivalent so that the negative of the one amounts to the affirmative of the other, and leaves no other alternative, the decision of the one necessarily concludes the other." GREY.

CHAPTER III.

SUBSIDIARY MOTIONS—CONTINUED.

Committees.

"The Committee is the eye, and ear, and hand, and very often the brain, of the Assembly. Freed from the very great inconvenience of numbers, it can study a question, obtain full information, and put the proposed action into proper shape for final decision." THOMAS B. REED.

THE motion to refer the question to a committee is a subsidiary motion, debatable, and may be amended. Its position on the chart indicates it as higher in value than the amendments, indefinite postponement, and the main motion, but that it must yield to the motions above it.

Committees are of three classes: Committee of the Whole, consisting of the entire assembly; Standing Committees, appointed for the session, or for some definite time, usually a year; Select or Special Committees, appointed for a special purpose.

Most of the work of deliberative assemblies is done by means of one or all of these committees. The preliminary work in the preparation of a subject for action in legislative bodies is usually performed in that way.

Form of Motion to Commit.

The form of the motion to commit is: "Mr. President: I move to refer the subject to a committee"; or:

"I move the question be referred to a committee of five, to report at the next meeting."

When seconded, the chair would state it thus:

"It has been moved, and seconded, to refer the subject to a committee. Are you ready for the question?"

It is now open to discussion, and may be amended as to the number on the committee, or the time to report, and as to such instructions as the assembly may consider necessary.

If the motion had been to refer to a committee of five, the following motion to amend would be in order:

"Mr. President: I move to amend the motion to commit, by striking out the word 'five' and inserting the word 'seven.'

When seconded, stated, and put to vote, if decided in the affirmative, the result, as announced, would be:

"The ayes have it, and the amendment is adopted. The question recurs to the motion as amended, 'That the subject be referred to a committee of seven.' "

It could be again amended as to time to report, thus:

"I move to amend the motion by adding the words, 'and to report at the April meeting.' "

When seconded, stated, and put to vote, if decided in the affirmative, the result would be:

"The amendment is adopted, and the question recurs to the motion as further amended, that the subject be referred to a committee of seven, to report at the April meeting. Are you ready for the question?"

When the debate has ended, the question is then put on the motion as amended, and, if carried, the result is announced thus:

"The ayes have it, and the motion to refer the subject (whatever the question may have been) to a committee of seven, which will report at the April meeting, is adopted."

This moves the question from before the house into the hands of the committee.

The members of a committee are either appointed by the chair, named in the motion to refer to a committee, or appointed by the assembly.

The one first named is usually considered the chairman; but unless the chairman is specially

appointed by the assembly, or chair, the members composing the committee may elect one of their number to that position.

The question referred to them must be considered in a meeting where a majority of the members are present.

Communication with the several members on the subject by telephone does not constitute such conference as a committee implies, and will not be considered sufficient, should the question of meeting be raised.

The quorum of a committee is a majority.

Any committee, except the Committee of the Whole, may appoint a sub-committee, in which case the latter would, of course, report to the chairman of the committee, who would report in full to the assembly. The meetings are called by the chairman, but in case of his absence, or his refusal to do so, any two members may bring the committee together and hold a valid meeting.

A committee is a miniature assembly, and the rules of the assembly apply, as far as practicable, to its deliberations. In very small committees, formal motions may be dispensed with, and a second is not required.

A vote, however, should be taken on the matter reported to the assembly. Such vote may be reconsidered at any subsequent meeting, regardless of the time elapsed, providing every member

who voted with the majority is present when the reconsideration is moved.

If the committee is large, a secretary, or clerk, should be elected. When through with the work assigned to it by the assembly, a motion is made to "rise," and that the chairman, or secretary, make its report to the assembly.

The motion to "rise," or "to rise and report," is equivalent to the motion "to adjourn," and is used only in committees.

Except in the case of a standing committee, all others cease to exist as soon as the assembly receives the report, and the standing committee ceases to have charge of the particular matter reported. The report, of course, consists of the views of the majority of the members present at the meeting, when it was agreed upon, altho the minority may present their views in writing, also, either together or separately, at the pleasure of the assembly. These cannot be acted upon, however, except as one of them is submitted as a substitute amendment to the report of the majority.

No allusion may be made in the assembly to what has taken place in the committee meeting, except by general consent, or by a formal report containing the facts, of disorderly conduct, etc., as it may have occurred.

When the committee is appointed for action

alone, it should be small; but if the object is that of deliberation, or investigation, its membership should represent all parties in the assembly, in order that its opinion, as embodied in the report, will be as useful as it should be.

A committee is a creature of the assembly, created for a particular purpose, and it may not go beyond its instructions. If a paper is submitted to it, it must not be defaced in any manner, but all alterations made by the committee must be put on separate sheets. If the resolution originates in a committee, then all amendments should be incorporated in it.

It has been generally believed that the person making the motion to refer the subject to a committee should be made the chairman of the committee, when appointed. There is no foundation for such belief. The presiding officer is always at liberty to select the chairman, without regard to the mover of the original motion, or the one who moves to refer it to a committee.

He should always consider the qualifications of each one, appointing him on the committee, or not, as he deems such appointment to be for the best interests of the assembly.

When a committee has been instructed to report at a certain time, it should either do so, or state the reason for not doing so, and ask for further time.

Committee Report.

When the report has been submitted to the assembly, the chairman, or the member presenting the report, should move its adoption before taking his seat.

When the report consists of a statement of facts or an account of work done, it should be accepted, as there is nothing to adopt. When the report closes with one or more recommendations, the recommendations must become the subject of a formal motion presented from the floor.

Work done, out of courtesy to the committee, is accepted. Recommendations must be adopted.

A report is usually received without a motion to that effect, but there are times when such a motion becomes necessary. It is never in order, however, to move to receive a report after it has been read. The reading of it is the receiving of it by the assembly. The motion is, to accept or adopt the report, or to agree to the recommendations embodied therein.

When the committee reads its report to the assembly it ceases to exist, and no motion is necessary to discharge it. If it makes a partial report and asks for more time, some authorities say a motion is necessary to continue it. The weight of authority is against such practice, however.

A committee may be revived by a motion to recommit; that is, to refer the subject back to the same committee. A motion to discharge a committee is in order when it has made a partial report, or has failed to properly perform its duties.

If the committee is small, the report is usually signed by the chairman and the other agreeing members. If large, the name of the chairman alone will suffice, altho it is customary for those agreeing to the report to sign with the chairman, particularly if a minority report is also submitted.

Forms of Committee Reports.

Following are a few reports with different recommendations and the various methods of disposing of them:

No. 1. Report of a Standing Committee:

"Mr. President: Your Committee on visiting the sick members of our club begs leave to report the following: We have called upon Mr. A., Mr. B., and Mr. C., and also sent flowers to others whose names are on our list.

"Respectfully submitted,

"JOHN JONES.
"WILLIAM BAKER.
"JAMES BROWN."

There is nothing recommended for adoption, the chair therefore says: "You have heard the report of the committee, if there is no objection the report will be accepted." This is voting by silent assent. The chair asks if there is any objection to accepting the report; as no one speaks, there is presumed to be none, and the report is accepted.

Report No. 2. Special Committee.

Adoption of the Resolution Recommended.

"Mr. President: Your Committee, to whom was referred the resolution, 'Resolved, That we build a club-house,' desires to report the following: After careful consideration of the finances and resources of our club, we consider the project entirely feasible, and, therefore, recommend the adoption of the resolution.

"Respectfully submitted,
"A. B., chairman."

Before sitting down, the chairman should move the adoption of the resolution, as though presenting it for the first time, thus: "I move that the recommendation of the committee be adopted." When seconded, the chair states it thus:

"It has been moved and seconded, to adopt the recommendation of the committee, 'That we build a club-house.' Are you ready for the question?"

Adopting the recommendation of the committee is, here, equivalent to the adoption of the original motion, "Resolved, That we build a club-house." Hence the question is immediately upon the motion as referred to the committee and is now before the house, as it was before commitment except that it has the favorable recommendation of the committee.

In such cases the assembly generally shows its confidence in its committee by adopting the recommendations, thereby making the action of the committee its own. If the vote was in favor, the result would be announced thus:

"The ayes have it, and the resolution that we build a club-house is adopted."

Report No. 3.

Amendment Recommended.

"Mr. President: Your Committee, to whom was referred the resolution, 'That chairs be bought for this room,' desires to recommend its adoption, with the following amendment: 'That such chairs have a wide arm for the use of books.'

"Respectfully submitted,

"A. B. C."

The question here would be, first, on the amendment, and then on the resolution. If the chairman of the committee did not move the adop-

tion of the amendment, and no other member did so, the presiding officer would say:

"You have heard the report of the committee. If there is no objection, the work of the committee will be accepted. The question is now on the adoption of the amendment recommended, 'That such chairs have a wide arm for the use of books.' Are you ready for the question? Are there any remarks?" or "The amendment is before you for discussion."

Any such remarks by the chair puts the question before the house for debate and final action.

He will put it to vote in the usual manner:

"The question is on the adoption of the amendment, that the chairs have wide arms. All in favor say aye."

"All opposed say no."

If carried, he will announce the result thus:

"The ayes have it, and the amendment recommended by the committee is adopted. The question now recurs to the motion as amended, 'That chairs with a wide arm, for the use of books, be bought for this room.' Are you ready for the question?"

This is again before the house for debate, further amendment, or the application of any subsidiary motion, exactly as it was before reference to the committee.

It is treated as an original main motion in every

respect, except that objection to its consideration (which will be explained later) cannot be raised.

It must be disposed of by some formal vote before the assembly can proceed to other business.

If, when the subject was referred to the committee, there were one or two amendments already pending, and the committee recommended another amendment, the one recommended by the committee could not be acted upon until the pending amendment to the main motion had been disposed of. After the report of the committee is read, in such a case, the presiding officer would say:

"You have heard the report of the committee. The question is on the adoption of the amendments to the main motion as referred to the committee, and after they have been acted upon, the amendment recommended by the committee will be in order."

He will proceed to put the vote, first on the amendment to the amendment, then on the amendment, allowing time for discussion, as tho they had been just proposed; and when both had been adopted or rejected, would then say:

"The question now is on the adoption of the amendment recommended by the committee" (reading it). "Are you ready for the question?"

This amendment is before the house in the same condition as if just offered to a new main motion.

After the usual discussion, it would be put to vote, and the question would recur to the main motion, as amended, for final action.

The amendment proposed by the committee is simply held in abeyance until those already pending are disposed of, then takes its place in the natural order.

Report No. 4.

Substitute Amendment.

"Mr. President: Your Committee to whom was referred the resolution 'That chairs be bought for this room,' desires to submit the following substitute amendment.

"Investigation shows that no money is in the treasury, and none to come in for some time, that may be used for such purpose. Therefore, we recommend 'That each member be requested to donate one chair for our use.'

"Respectfully submitted,
"A. B., Chairman."

He continues: "I move the adoption of the substitute amendment."

When seconded, the chair states it thus:

"It has been moved, and seconded, to substitute the amendment 'That each member be requested to donate a chair for our use,' for the main mo-

tion, that we buy new chairs. Are you ready for the question?"

When put to vote, if carried, he would state the question thus:

"The question now recurs to the motion as amended, by substitution, 'That each member be requested to donate one chair.' Any further remarks?"

After discussion and further amendment by addition, if any, it would be put to vote, and the result, if in the affirmative, announced thus:

"The motion, as amended, is adopted. Each member will be asked to donate one chair for this room."

Reports No. 5A and No. 5B.

Majority and Minority Reports.

"Mr. President: Your Committee to whom was referred the resolution 'That we take up the study of literature this season,' desires to submit the following report: We have communicated with all of the members, and find a general desire for such study; and, therefore, we recommend the adoption of the resolution.

"Respectfully submitted,

"A., Chairman."

Suppose that the committee consisted of nine members. Five of them must have concurred in

that report before it could be submitted to the assembly; but the other four may have been just as earnest in their belief that the majority of the club members would be more interested in a course of botany than literature.

In order to get that opinion before the club, they could agree on a minority report, and immediately after the report of the committee had been read, and the question stated on its adoption, a member could present their report, as follows:

"Mr. President: The Minority of your Committee to whom was referred the resolution, 'Resolved, That we take up the study of literature this season,' desires to submit the following report.

"We believe the study of botany would be more useful, and just as interesting to most of our members; therefore, we recommend that study for the club.

"Respectfully submitted,
"B., Chairman of the Minority."

Before he sat down, he would put it in the form of a motion, thus:

"I move that the report of the Minority, 'That we study botany,' be substituted for the report of the Committee."

That is, the resolution recommended by the

Minority is offered as a substitute amendment to the resolution recommended by the Majority.

The presiding officer would state the amendment thus:

"It is moved, and seconded, to substitute the amendment, 'That we study Botany' for the motion 'That we study Literature.' Are you ready for the question?"

After debate on the matter has been exhausted, and it has been put to vote in the usual way, he would announce the result, if carried in the affirmative, thus:

"The ayes have it, and the amendment is adopted. The question recurs to the motion as amended, 'That we take up the study of Botany this season.' Are you ready for the question?"

This is now open to further discussion, and amendment by addition, and when perfected to suit the wishes of the assembly the final vote would be taken thus:

"The question is on the adoption of the motion as amended. All in favor say aye."

"Opposed, no."

"The ayes have it, and the motion, as amended (by substitution), 'That we study Botany this season,' is adopted."

The assembly preferred the report of the Minority of the committee to that of the Majority, and adopted its provisions.

The Minority cannot report, as of right, but does so by favor of the assembly.

Report No. 6.

Rejection of Resolution Recommended.

"Mr. President: Your Committee, to whom was referred the resolution, 'Resolved, That our Club donate fifty dollars to the Playground Association,' desires to report as follows:

"We have made a careful inquiry as to our expenses for the coming year, and we are of the opinion that the Club cannot afford to give anything for such a purpose, and we recommend the rejection of the resolution.

"Respectfully submitted,
"A., Chairman."

The question is always on the *adoption,* rather than the *rejection,* of the resolution, in whatever form it may be presented; therefore, the presiding officer would say:

"The question is on the adoption of the resolution, the report of the committee to the contrary notwithstanding."

He would perhaps explain that in order to follow the advice of the committee they should vote in the negative, but that he must put the affirmative form first.

If the assembly wished to adopt the recommen-

dation of the committee, the members would vote "no," and the result would be announced thus:

"The noes have it, and the resolution, 'That we donate fifty dollars to the Playground Association,' is lost, or rejected.

This form of disposing of a recommendation to reject a resolution is very important, and not infrequent; therefore, the student should master it thoroughly.

Report No. 7.

Postponement Recommended.

"Mr. President: Your Committee to whom was referred the resolution, 'That we give fifty books to the school library,' has found little interest in the subject among our members; therefore, we recommend the indefinite postponement of the question.

"Respectfully submitted,
"B. C., Chairman."

Before sitting down, the one making the report should make a motion to that effect:

"I move that the motion that we give fifty books to the school library be postponed indefinitely."

When seconded, the presiding officer would say:

"You have heard the report of the committee.

The question is on the postponement of the resolution indefinitely. Are there any remarks?"

If the recommendation had been to postpone to some definite time, the question would have been on the motion to postpone to that time, etc., etc.

Committee of the Whole.

The Committee of the Whole House consists of the entire assembly.

It is of little practical use in small bodies, but is of great benefit in legislative and other assemblies, where debate must be limited.

Its purpose is to allow an assembly to consider a subject which it does not wish to refer to a committee, with all the freedom characteristic of an ordinary committee meeting.

Its quorum is the same as that of the assembly. It is really the whole assembly resolved into a committee, the meeting of which is held in the assembly room. The only change made is the appointment of a new chairman.

It differs from a Special committee in other ways: the only motions in order are "to amend," "to adopt," and "to rise and report."

It cannot appoint a sub-committee, nor refer the subject assigned to it by the assembly to any smaller body for consideration.

The secretary does not record the proceedings

of the committee on the minutes of the assembly, but keeps a memorandum of them for the use of the committee.

In a Committee of the Whole, a member may speak to the subject as often as he can obtain the floor, and as long, each time, as is allowed in debate in the assembly, providing no one wishes the floor at that time who has not spoken to that particular question. The only way that debate can be limited is for the assembly to vote that the debate in the Committee of the Whole shall cease at a certain hour, or, that after a certain specified time, no debate shall be permitted, except on new amendments, etc. The assembly has power to regulate the debate in any way that seems necessary to the best interests of the question under consideration. When it has been so limited, the committee has no power to extend the time.

If the resolution has not been formulated by the assembly, the Committee of the Whole puts it in proper form and incorporates all proposed amendments in the text; otherwise the text may not be altered in committee.

Form of Motion of Committee of the Whole.

When it is desired to go into the Committee of the Whole, a member rises and makes the following motion:

"Mr. President: I move that the assembly do now resolve itself into a Committee of the Whole, to take under consideration the question, 'That a donation of one hundred and twenty-five dollars be made to the school library.' "

When seconded, the presiding officer states it, and, after discussion, puts it to vote, and announces the result thus:

"The ayes have it, and the motion, 'That we resolve ourselves into a Committee of the Whole, to consider the question, 'That a donation of one hundred and twenty-five dollars be made to the school library,' is adopted."

He would then appoint a chairman, and take his place on the floor. In this way he can take part in the debate, as he could not do while occupying the chair.

When the question has been fully considered a member rises, and moves:

"That we rise and report the result of our proceedings to the assembly."

Upon the adoption of this motion, the chairman of the Committee leaves the chair, and the President of the assembly resumes it, and calls for the report of the Committee. The chairman of the Committee then reads the report of the action of the Committee, just as he would do had the Committee left the assembly hall and held its meeting in another room.

The report is also acted upon in the manner of all other committee reports.

The Committee of the Whole is competent to make recommendations that the resolution be adopted, amended, postponed, rejected, etc., the same as other committees.

Smaller bodies may find it advisable to resolve themselves into a Committee of the Whole when the question under consideration is in danger of being laid on the table, or of being put to vote under the operation of the previous question, before it has had the advantage of full debate.

It also enables the assembly to secure a more competent chairman for the consideration of a subject than the regular presiding officer may be, and the fact of its proceedings not being on the minutes of the assembly, makes it a useful expedient in some particular instances.

In legislative assemblies, bills for general appropriations, and those including items of governmental expense, are generally referred to this committee.

Committee of the Whole House on State of the Union.

In the National House of Representatives there are two committees of this nature: the Committee of the Whole House, to which are referred

private bills, and which sits on Fridays, and the Committee of the Whole House on the State of the Union. This latter committee has charge of all public bills which appropriate money or property, or require future appropriation of money or property of the United States, and is in order on any day.

Informal Consideration.

Informal consideration is secured when one moves "to consider a subject as if in the committee of the whole." If this motion is adopted, then the consideration of the subject proceeds as though the assembly had resolved itself into a committee of the whole, except that the presiding officer retains the chair, and when the informal discussion is at an end announces: "That the assembly, acting informally, has had the subject under consideration, and recommends certain amendments, etc., which he will now report." The report is of the same nature as that of any committee, and is disposed of in the same manner.

In the United States Senate, all bills, joint resolutions, and treaties, upon their second reading, are considered "as if the Senate were in the committee of the whole." The report of the informal action is entered on the minutes, as a part of the proceedings of the assembly.

"If the chair allows an assembly to stray from the rules, any member may require business to be transacted in its proper order: and this as of right." HENDERSON.

"None who speak directly against a measure are to be of the Committee, for he that would totally destroy will not amend it. The child is not to be put to a nurse who cares not for it. No man is to be employed in any matter who has declared himself against it."

THOMAS JEFFERSON.

"The right of an assembly to determine its methods of procedure cannot be questioned; but, the rights of the minority must be respected, and no unusual procedure permitted by a bare majority vote." HAROLD.

CHAPTER IV.

OTHER SUBSIDIARIES.

Definite Postponement; The Previous Question; To Lay on the Table.

"A general knowledge of the proper rules always tends to economize time, secure the dispatch of business, and harmonize all proceedings."

JOSEPH B. BURLEIGH.

Definite Postponement.

THE motion to postpone to a day certain, or to a definite time, is found in the fourth rank of Subsidiary Motions. It yields to the motions above it, as shown by the chart, but displaces all those below it, until it is disposed of.

It is debatable, and may be amended as to the day to which the question may be postponed.

The debate should be confined to the question of postponement, and not be permitted to extend to the merits of the subject to be postponed. How-

ever, this distinction is sometimes difficult to enforce, and the chair should always be lenient rather than tyrannical—allow too much discussion rather than too little.

While it yields to the motion to lay on the table, the motion itself, "To postpone to a definite time," may not be laid on the table. It is the question which is to be postponed, that the higher motion—to lay on the table—is applied to; and if the latter motion is adopted, the motion to postpone is lost; but if the motion to lay the question on the table is not carried, then the delayed motion, "To postpone to a time certain," resumes its place, and requires action.

The definite postponement is a useful expedient, and is always in aid of the main motion. Its object is merely to delay action for a limited time, during which the motion may be gaining friends, or its friends may be preparing for its better presentation when it again comes before the assembly.

The rule is, that a question should not be postponed beyond the next session, but in small societies, where the meetings (which are synonymous, generally, with the sessions) are held once or twice a month, it seems necessary to extend its operations.

Suppose a question came up at the November meeting, but could not have sufficient considera-

tion before the January or February session; in such case it would be wholly within the purpose and intent of the motion to defer its consideration until those, or even later meetings.

Form of Motion to Postpone to Day Certain.

The form is very simple: "Mr. President: I move to postpone the consideration of the question, with its pending amendments" (if any), 'That we donate fifty dollars to the school library,' until our next meeting, or until the December meeting."

When seconded, the chair would state it thus: "It has been moved, and seconded, to postpone the consideration of the question, 'That we donate fifty dollars to the school library,' to our next meeting. Are you ready for the question?"

After discussion, limited to the question of postponement, he would put it to vote thus:

"The question is on the adoption of the motion, 'That we postpone the question "That we donate fifty dollars to the school library," to our next meeting.' All in favor say aye."

"Opposed, no."

If carried, the result would be announced thus:

"The ayes have it, and the motion to postpone the question to our next meeting is adopted."

Further consideration of the main motion is deferred until that time.

If the sentiment was against postponement, and the motion failed, the result would be:

"The noes have it, and the motion to postpone is lost. The question recurs to the motion, 'That we donate fifty dollars to the school library.' Are you ready for the question?"

When the subsidiary motion to postpone, to which the main motion yielded, is voted upon, and lost, the latter motion comes again before the house, in the same condition as though the motion to postpone had never been made.

When a question has been postponed, by this motion, to a certain time, it may not be taken up before that time, except by a two-thirds vote.

When that time arrives, if the postponement was to a certain hour, it takes precedence then of everything except Privileged questions.

If postponed to a fixed day, it comes up on that day as unfinished business.

The Previous Question.

The Previous Question is a technical name for a motion used to stop the discussion of a question and bring it to vote. Its name causes much confusion, as it suggests the question previously under consideration; but it has nothing whatever to do with that.

Its use is simple, altho its unfortunate name

causes confusion in the minds of beginners, or those unfamiliar with parliamentary procedure. The Previous Question is a motion to stop debate and bring the question to a vote.

Learn this definition thoroughly, and no difficulty in understanding the motion will ever be experienced.

It ranks fifth among the subsidiaries, and yields only to those above, displacing all those below.

It is not debatable, neither can it be amended; but it may be applied to all motions which are debatable, as its sole object is to close debate, when such debate has overstepped the limit of time, or when for any reason, the immediate vote is desired.

It is the first motion which we have thus far considered which requires more than a majority vote for its adoption. A two-thirds vote in this connection is necessary, because closing the debate, or cutting off the full and free discussion of a question is really violating one of the fundamental principles of parliamentary law. A two-thirds vote is never justified, except when some such general principle is temporarily infringed for a particular purpose. While such occasions are neither frequent nor desirable, yet in order to facilitate the transaction of business, such an expedient becomes, at times, necessary.

The effect of the Previous Question, when

adopted, or ordered, as this is called, is to instantly close the discussion and bring the assembly to vote upon the pending question. After this vote has been taken, its effect is exhausted. Had the Previous Question failed, then the business before the house would be in the same condition as though the Previous Question had never been moved.

Form of Motion of Previous Question.

The form given in most of the manuals is confusing, and as the one used by some of the later writers is much simpler, and the same result is obtained by both, the latter will be adopted here.

If the motion, "That we donate fifty dollars to the school library," had been presented, stated, and been under discussion some time, and a member wished to bring it to an immediate vote, he would move the Previous Question, thus:

"Mr. President: I move the Previous Question"; or, "I call for the Previous Question."

When seconded, the chair would put it to vote at once, as by reference to the chart it is seen to be undebatable, and that it requires a two-thirds vote to adopt it. He would then say: "The Previous Question has been moved and seconded. Shall the debate be closed and the vote taken? All in favor, rise, and stand until counted."

"Opposed, rise."

The secretary usually counts the voters, and if two-thirds of those voting are in favor of voting on the main motion immediately, the result would be announced thus:

"The affirmatives have it, and the Previous Question is adopted. The question is now on the adoption of the main motion, 'That we donate fifty dollars to the library.' All in favor say aye."

"Opposed, no."

"The ayes have it, and the motion, 'That we donate fifty dollars to the library,' is adopted."

A two-thirds majority wanted to put the question to vote at once, so they voted in favor of the motion to close debate and compel the vote. After that had been done, the chair had no option but to put the question at once on the pending motion.

No one can continue to speak to the question, move to amend it, or make any subsidiary motion, after the Previous Question has been ordered.

There remains but one thing to be done: to put the question immediately to vote. The only exception to this rule is when the Previous Question has been ordered on the adoption of the report of a committee. In that case, the chairman, or member of the committee reporting, may speak, or close the debate on such report, even after the Previous Question has been ordered.

If, when the vote was taken on the Previous

Question, there was not a two-thirds vote in its favor, then the result would be announced as follows:

"The noes have it, and the Previous Question is lost. The question recurs to the motion, 'That we donate fifty dollars to the school library.'"

Now the question is in the same condition as before the Previous Question was moved at all. Its introduction has had no effect whatever upon the pending motion. The debate may be continued indefinitely, and the motion disposed of in the ordinary way.

If there are amendments pending when the Previous Question is ordered, the vote must be taken first on the amendments, in order, then on the main motion, without debate on any one of them.

If there are two amendments, and the motion to refer the question to a committee pending, when the Previous Question is ordered, then the vote must be taken on the motion to commit, first; if it is adopted, the whole question is moved from before the house; but if it is lost, then the vote must be taken on the amendment to the amendment, then on the amendment, and last on the main motion, all without debate.

When these votes have been taken, the effect of the previous question is exhausted. If one or all were reconsidered, the question would be di-

vested of the Previous Question, and again be open to discussion and amendment.

If one of the votes be reconsidered before all of the motions have been put to vote—that is, before the Previous Question is exhausted—its effect would then preclude any discussion of the motion reconsidered.

The effect of the Previous Question may be limited to the motion to commit; in which case, after that motion has been put to vote, the amendments and main motion would be debatable, as usual; or, if the amendments only were pending when the Previous Question was ordered, its effect could be limited to the amendment to the amendment or to both amendments; and after the vote has been taken on one or both, as the case may be, the main motion would continue free from its restrictions.

When the Previous Question is ordered on a motion to postpone, either to a day certain, or to an indefinite time, its effect extends only to the motions to postpone, and the main question does not come under it.

Previous Question and a Series of Motions.

The following is an illustration of the Previous Question, as applied to a series of motions:

The main motion, "That we donate fifty dollars

to the school library," has been introduced. An amendment that the words, "fifty dollars" be struck out, and the words, "twenty-five dollars," be inserted, has been moved, seconded, and stated by the chair; also an amendment to the amendment has been offered to this effect: that the words, "twenty-five books" be added to the amendment.

Then a motion to refer the question to a committee has been moved, and stated, followed by a call for the Previous Question.

We have, then, five motions pending, in the order in which they may be made, and in which they must be acted upon:

Fifth motion, The Previous Question.

Fourth motion, To refer to a Committee.

Amendment to the Amendment, addition, "and 25 books."

Amendment by Substitution, "25 dollars."

"Resolved, That we donate fifty dollars to the school library."

The chair would put to vote first the last motion made, thus:

"The Previous Question has been moved, and seconded: Shall the debate be closed and the vote taken? All in favor, rise, and stand until counted."

"Opposed, rise."

"The affirmatives have it, and the Previous

Question is ordered. The question is on the motion to refer the question to a committee. All in favor of commitment say aye."

"Opposed, no."

"The noes have it, and the motion to commit is lost. The question now recurs to the amendment to the amendment, to add the words 'And twenty-five books.' All in favor say aye."

"Opposed, no."

"The ayes have it, and the amendment to the amendment is adopted. The question now recurs to the amendment as amended, 'That the words, "fifty dollars" be struck out, and the words, "twenty-five dollars and twenty-five books" be inserted.' All in favor say aye."

"Opposed, no."

"The ayes have it, and the amendment, as amended, is adopted. The question now is on the adoption of the main motion, as amended, 'That we donate twenty-five dollars and twenty-five books to the school library.' All in favor say aye."

"Opposed, no."

"The ayes have it, and the motion, as amended, is adopted."

Not until the negative vote has been taken on the last motion is the effect of the Previous Question exhausted. After it has been exhausted however, the vote on any or all of these motions

may be reconsidered and the motions would admit of debate.

In limiting the Previous Question to certain motions, the following form would be used:

"Mr. President: I move the Previous Question on the motion to commit"; or, "I move the Previous Question on the amendments"; or, "On the amendment to the amendment," as the case might be.

The Previous Question is not known in the United States Senate. In the House of Representatives it is ordered by a majority of the members seconding it.

Lay on the Table.

The motion, "To lay on the table," is the last, and highest in order, of the Subsidiary Motions.

The diagram shows it to be undebatable; it does not admit of amendment nor of the application of any other subsidiary motion. It takes the place of all those motions below it until it has been acted upon, but yields, in turn, to all of the Incidental and Privileged Motions.

Its object is to enable the assembly to lay aside a question temporarily.

The advantage of this motion over those to commit, and postpone to a definite time, lies in the convenience of being able to bring the ques-

tion laid on the table back again before the house at any hour during the same or the next regular meeting.

It serves also to suppress a question for the session if a majority vote cannot be obtained to take it from the table; and while it frequently has that effect, and is used in many societies for that purpose alone, its true function is not to kill a question, but to lay it aside, or to postpone it in such a way as to best meet the needs of the assembly.

Its object is to aid the resolution, not to destroy it.

There are two well-known and simple devices for throwing out objectionable questions: the Indefinite Postponement, and the Objection to the Consideration. This motion to lay on the table should not be perverted to that use.

It has its own peculiar duties to perform, its own obligations to fulfill, and should not be made to carry the burdens of others.

When the motion to lay the question on the table is carried, it takes with it the main question and everything adhering to it; that is, all pending amendments and subsidiary motions. If an amendment is laid on the table it carries with it the main motion.

There are however, a few exceptions to this general rule to be noted.

An amendment to the minutes of the assembly does not take to the table the minutes.

A motion to reconsider a vote, if laid on the table, leaves the original motion just where it was before the reconsideration was offered; and an appeal, when tabled, does not take with it the original question, but sustains for the time the decision of the chair.

When the Previous Question has been made, and ordered, the motion to which it was applied may be laid on the table at any time, until just before the last vote is taken on the motion.

If tabled while the Previous Question is pending, the latter motion, being of lower value, would be lost in the adoption of the higher one to lay on the table; but if the vote had been taken on the Previous Question, and it had been decided in the affirmative, then, if the resolution is laid on the table, the order of the Previous Question goes with it; and when taken from the table, the resolution comes up under the order, and must be disposed of without debate.

Form of Motion to Lay on the Table.

The forms for laying a motion on the table, and taking it from the table, are as follows:

"Mr. President: I move to lay the question, 'That we donate fifty dollars to the library,' on the table."

When seconded, the chair would put it to vote immediately, as it is not debatable:

"It has been moved, and seconded, to lay the question, 'That we donate fifty dollars to the library,' on the table. All in favor say aye."

"Opposed, say no."

If the vote was in the affirmative, the result would be: "The ayes have it, and the question, 'That we donate fifty dollars to the library,' is laid on the table."

If in the negative, it would be: "The noes have it, and the motion to lay on the table is lost. The question recurs to the main motion" (to the amendments, if any, or to a pending subsidiary motion, as the case may be). "Are you ready for the question?" That is, the same condition would return as existed before the motion to lay on the table was made at all.

When the motion to lay on the table is lost, the vote on it may be reconsidered. The affirmative vote cannot be reconsidered, for the reason that the question may be taken from the table.

To Take from the Table.

The question tabled may be called up after any intervening business, however slight, or at any time during that meeting when no other business is pending; and where the sessions are of stated

and frequent occurrence, its effect continues until the close of the next meeting.

Where sessions continue several days, weeks, or months, it could be called up at any time during that session, but loses its right with the close of the session.

When a question remains on the table until the next regular meeting it should be called up under the head of new business, in this way:

"Mr. President: I move to take from the table the motion, 'That we donate fifty dollars to the library.' "

When seconded, it would be put to vote immediately, as it is not debatable, thus:

"It has been moved, and seconded, to take from the table the question, 'That we donate fifty dollars to the library.' All in favor say aye."

"Opposed, no."

"The ayes have it, and the motion, 'That we donate fifty dollars to the library,' is before you for action."

The motion is now open to discussion, amendment, or the application of any other motion, exactly as before it went to the table.

To Lay on the Table Subject to Call.

Another form of this motion, and one having some advantages over the usual one, is to lay

the question on the table "subject to call." This motion is like the first one in all respects, except that it is never used by the enemies of a measure to suppress it entirely.

Since any member may call it up, without the formality of a motion, it is much more likely to be brought back for consideration.

The form would be: "I move to lay the question, 'That we donate fifty dollars to the library,' on the table, subject to call."

When seconded, it would be put to vote in the usual way, and if carried, the result announced as follows:

"The ayes have it, and the question, 'That we donate fifty dollars to the library,' is laid on the table, subject to call."

After some intervening business, a member would rise, and, addressing the chair, say: "I call for the question, 'That we donate fifty dollars to the library.' "

This requires no second, and the chair would state the question as though it had come up by way of motion:

"The question, 'That we donate fifty dollars to the library,' has been called from the table. It is before you for consideration. Are you ready for the question?" etc.

Improper Use of Motion to Lay on Table

If the motion to lay on the table is repeatedly used in any society for the purpose of defeating the question, there should be a special rule adopted requiring a two-thirds vote for its adoption.

To lay a question on the table, with no intention of taking it up again, and thereby preventing all discussion, is an unwarranted violation of one of the fundamental principles of the common parliamentary law of the land, that all propositions are debatable.

The usefulness of a most efficient motion is impaired by this practice of making it perform the work fully provided for by others: the Objection, and the Indefinite Postponement.

All authorities deplore the improper use to which this motion has been put, and urge upon students the necessity of preserving it for the function peculiar to itself: that of laying aside a question temporarily, with the privilege of resuming it again, at the pleasure of the assembly, within certain limits set by the experience and expediency of centuries.

"Only by adherence to proper forms can the weaker party be protected from those irregularities and abuses which these forms were intended to check, and which the wantonness of power is but too apt to suggest to large and successful majorities." THOMAS JEFFERSON.

"The first duty of a presiding officer is to do what the assembly wishes; but he must keep in mind those permanent wishes embodied in the special rules, and in parliamentary law. A patient presiding officer and a good-natured assembly can do much to confine debate to its proper channels." THOMAS B. REED.

CHAPTER V.

INCIDENTAL MOTIONS.

"It is the duty of every person participating in the proceedings to observe the rules of parliamentary procedure, and to aid the presiding officer in enforcing them." JOHN L. BRANCH.

THE third class of motions includes those called Incidental, because they originate in questions or conditions already existing.

They take precedence of the two lower classes, the main or principal motion, and the subsidiaries, but yield, in turn, to the fourth, and higher class, the privileged. They have no order of value among themselves, as have the other classes. Reference to the diagram shows that, with one exception—the Appeal—all are undebatable, and two require a two-thirds vote.

They are:

To Suspend the Rules.

To Withdraw a Motion.

To Divide a Motion.
To Read Papers.
Objection to the consideration of a question.
Appeal.
Questions of Order.

Suspend the Rules.

The motion to Suspend the Rules is not debatable, and may not be amended. The vote on it cannot be reconsidered, and a two-thirds vote is required for its adoption.

The motion applies only to rules of order, never to established parliamentary principles, constitutional requirements, or special statutes, unless in the form of standing rules. The motion to Suspend the Rules, for the same purpose, cannot be renewed at the same meetiug, although it may be renewed at an adjourned meeting, even should such adjourned meeting be held on the same day. In Congress, the motion cannot be renewed on the day it is offered.

No by-law may be suspended, except a provision for such suspension is incorporated in the constitution or by-laws of the society. In the absence of such provision, a majority is competent to repeal a rule, but not to suspend it; on the principle that while the rule is in existence it must be

honored. When that becomes undesirable, or impossible, it should be eliminated from the statute book.

The motion should always be accompanied by the reason for wanting the rules suspended.

Forms of Motion to Suspend the Rules.

Its form is as follows:

"Mr. President: I move that the rules be suspended, in order to proceed at once to the consideration of the question, 'That we donate fifty dollars to the school library.' "

After a second, the chair puts it to vote at once, as it permits of no debate, thus:

"It is moved, and seconded, to suspend the rules, so as to proceed at once to the consideration of the question, 'That we donate fifty dollars to the school library.' All in favor, rise, and stand until counted."

"Opposed, rise."

The result, as announced, would be:

"There is a two-thirds vote in the affirmative; therefore, the rules are suspended, and the question, 'That we donate fifty dollars to the school library,' is before you for consideration."

The question would then be disposed of, as though it had come up at the usual time, and in the usual manner.

The rules of order for the conduct of business only, were temporarily suspended.

To Withdraw a Motion.

The motion "to withdraw a motion" is used when a motion has been made, seconded, and stated by the chair, but which, for some reason, the maker wishes to recall. The mover may always withdraw a motion, with the consent of his second, until it has been stated; after the motion has passed out of their hands into the control of the assembly, it may be withdrawn only by silent assent, or by a formal motion to that effect. A rule of the House of Representatives provides that when a motion has been amended, or has been subjected to any action, it may be withdrawn only by unanimous consent; but such is not the general practice.

When withdrawn, it carries with it all adhering matter: amendments, subsidiary motions, etc.; and the effect is the same as if it had never been introduced. The motion to withdraw cannot be debated or amended.

Form of Motion to Withdraw.

The form is as follows:

"Mr. President: I move to withdraw the motion," or, "I ask leave to withdraw the motion,

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'That we donate fifty dollars to the school library.' "

When seconded, the chair would put the vote immediately, thus: "It has been moved and seconded, to withdraw the motion, 'That we donate fifty dollars to the school library.' All in favor say aye." "Opposed, no." "The ayes have it, and the motion is withdrawn."

Or, when the motion is made to withdraw, the chair may say: "If there is no objection, the motion, 'That we donate fifty dollars to the school library,' will be withdrawn." After a pause, if no one speaks, he would announce the result, thus: "The motion is withdrawn." This is voting by silent assent, and has the advantage of saving time; altho in other than routine business it is not quite so fair a method as the usual one.

To Divide a Motion.

The motion "to Divide a Motion" is in order when the resolution contains two or more propositions, each of which is of such a nature that it may be considered alone. (See Waples.)

The fact that the resolution is long or involved in construction, is not sufficient reason for division; it may admit of as careful

consideration under such circumstances as the subject requires.

If, however, it contains more than one proposition, and the society wishes to adopt one and reject one or more, the proper procedure would be to divide the resolution into the two or more clauses, by means of this incidental motion.

When so divided, the first proposition is disposed of, then the second one taken up, and so on, in regular order, until all have been considered.

The motion to divide is undebatable, but may be amended.

Form of Motion to Divide.

Its form is as follows:

"Mr. President: I move to divide the motion, 'That we give an entertainment for the benefit of the library on March 3, 1908, tickets to be fifty cents,' into three propositions, into which it naturally falls" (naming them).

When seconded, it would be put to vote thus:

"It is moved, and seconded, to divide the motion so that the first proposition, 'That we give an entertainment for the benefit of the library,' may be considered alone, and the other two, 'On March 3, 1908,' and 'Tickets to be fifty cents,' in their turn. All in favor say aye."

"All opposed, no."

When carried, the result would be:

"The ayes have it, and the motion to divide is adopted. The question is on the proposition, 'That we give an entertainment for the benefit of the library.' Are you ready for the question?"

After discussion, the vote would be taken, and, if decided in the affirmative, the result would be announced thus:

"The ayes have it, and the motion, 'That we give an entertainment for the benefit of the library,' is adopted. The question now recurs to the second proposition, 'That it be held on March 3, 1908.' Are you ready for the question?"

This is open to discussion, amendment, and other disposition, in the same manner as though it were just proposed. When voted upon, if adopted, the result would be announced thus:

"The ayes have it, and the motion, 'That the entertainment be held on March 3, 1908,' is adopted. The question now recurs to the third proposition, 'That the tickets be fifty cents.' Are you ready for the question?" etc.

The one motion, when so divided, really becomes three, each one of which can be better considered alone than when standing in the original form, but which must be taken up in regular order.

To Read Papers.

The motion to read papers is undebatable, and admits of no amendment. It applies both to papers under consideration and those not under consideration.

Its object is (1) to bring before the assembly the resolution or communication under consideration, for a re-reading; (2) to bring before the assembly a paper or papers bearing indirectly upon the subject under consideration.

Every member has the undoubted right to know what he is voting upon, and in order that he may know, the resolution, or other communication, must be read to the assembly; but to prevent an abuse of this right, a limit must be set to the number of times such reading may be demanded.

In legislative bodies, where hundreds of papers, in the form of petitions, memorials, remonstrances, messages, official reports, etc., are received, it is customary to refer them to the appropriate committee without reading.

When reported back, or when the vote is taken upon them, they are subject to the rule of three readings, tho this may sometimes include one or two readings by title.

When a member wishes to read, or have read, papers or documents which are not under immediate consideration, the consent of the assembly

must be obtained, either by formal vote, or by silent assent. It is readily seen how business might be interrupted and delayed, if members could do this as a matter of right.

Forms of Motion to Read Papers.

The form of the motion is simple:

"Mr. President: I move that the resolution be again read"; or, "I move that the paper submitted by the member be read to the assembly."

The chair generally says: "If there is no objection, the member will read the paper." But if some one does object, then he must put it to vote, as any other motion, thus:

"The question is on the adoption of the motion that the resolution be read again; or, that the paper bearing on the subject, submitted by the member, may be read. All in favor say aye."

"Opposed, no."

"The ayes have it, and the paper will be heard."

Objection to Consideration.

The Objection to the Consideration of a question is one of the most important of the Incidental Motions. Its purpose is to enable the assembly to suppress any frivolous, objectionable, or other irrelevant matter immediately upon its presenta-

tion. It is not intended to cut off debate, merely, but it prevents the arousing of ill-feeling, the habit of indulging in personalities, and the waste of time on useless subjects, by throwing them out altogether.

The motion is undebatable, cannot be amended, can have no other motion applied to it, and requires a two-thirds vote in the negative to sustain it.

The objection must be made immediately after the chair has stated the resolution, before there has been any discussion, and may be made while another person has the floor.

It does not require a second, and can be raised by the chair, if he deems it necessary to the best interests of the assembly, without waiting for it to come from the floor. Its effect is the same as that of the Indefinite Postponement, suppression of the question for the entire session; but it differs from that motion in four ways, which the student should clearly distinguish:

1. The Objection must be made immediately after the main motion is stated by the chair.

The Indefinite Postponement may be made after discussion and amendment, whenever there is a return to the main motion.

2. The first requires no second, while the Indefinite Postponement must be seconded.

3. The Objection requires a two-thirds vote to

sustain it; the other only a majority vote for its adoption.

4. The Objection is not debatable, while the Indefinite Postponement is.

They are alike, in that they are applied only to the main motion, not to the subsidiaries.

The Objection is the only motion in parliamentary law which is sustained by a negative vote.

Forms of Objection to Consideration.

The form is as follows: The following resolution, "Resolved, That education is useless to the man who works with his hands," has been moved, seconded, and stated by the chair.

Immediately a member rises, and says: "Mr. President, I object to the consideration of the question."

As it requires no second, and is not debatable, the chair puts the question at once:

"The consideration" (that is, the discussion) "of the question is objected to. Shall the question be considered? All in favor" (all who want to spend time discussing this question) "will rise, and stand until counted."

"Opposed, rise."

If two-thirds of those voting voted against considering the question—that is, voted in the negative—then the result would be:

"The noes have it, and the objection is sustained"; or, "the question will not be considered."

If two-thirds of the assembly do not care to spend time upon any question, they have the power to suppress such question at once by means of this Incidental Motion.

If there were not a two-thirds vote in the negative, then the result would be:

"The vote is 20 in favor, and 25 against; therefore, there is not the requisite two-thirds, which in this case would be 30. Hence the objection is lost, and the question will be considered. The question recurs to the motion, 'That education is useless to the man who works with his hands.' Are you ready for the question?"

The situation is the same now as before the objection was raised, and the question is open to the usual disposition.

If a motion which has been suppressed, either by the Objection or the Indefinite Postponement, is brought up at any succeeding session, it must come up under the head of new business.

Points of Order and the Appeal.

It is the duty of the presiding officer to preserve order in the assembly, both as to matters of decorum, or behavior, and in reference to the rules of debate. He should enforce all rules, should not entertain motions which are not in

order, and should check a member in debate if his manner or words violate the rules of the assembly or the standard of good breeding and civility.

In the exercise of this authority the chair should be supported by the assembly, even to the extent of subjecting a disorderly member to censure, discipline, and expulsion from the society.

If any member differs with the chair in his decision on any question, he may exercise the right of appeal, and if the appeal is seconded by another member, the chair must state it, thus throwing the question into the hands of the assembly for judgment.

The question on the appeal is generally debatable, each member having the right to speak once to it, while the appellant, or member raising the appeal, can, as in the case of other questions, open and close the debate, as a matter of parliamentary courtesy.

The appeal should not be debated if an undebatable question was pending, if the previous question had been ordered, or if the point of order preceding it related to a transgression of the rules of speaking, to some indecorum, or to the priority of business.

In any case, however, the appellant may, and should, state his reason for appealing, and the chair give the reason for his decision.

The debate may be closed by the order of the previous question, or the appeal may be laid on the table, which latter action has the effect of sustaining the chair, and making his decision the judgment of the assembly.

The appeal must be taken immediately after the decision of the chair is rendered; it cannot be raised after any business has intervened; neither may it be renewed after it has been decided, altho there may have been additional reasons discovered which might affect the result of another vote upon it.

The vote on the appeal cannot be reconsidered, if any action was taken on the resolution giving rise to it, after the appeal was passed upon by the assembly.

The objectionable words used by a member, upon which a point of order is based, should be taken down at once, as the question cannot be raised after other business has been transacted, except in case of the introduction of some matter of a highly privileged character, which would necessarily delay it.

The same is true of making a point of order against a motion which has been offered; the only delay recognized is that caused by some privileged question, such as adjournment, which cut off his opportunity of raising it at the time.

Forms of Point of Order and Appeal.

The forms for Calling to Order, and the Appeal are as follows. Suppose the motion to adjourn has been made, and seconded:

"Mr. President: I rise to a point of order."

The chair says: "State your point."

The member rejoins: "The motion to adjourn is not in order when the assembly is engaged in voting."

The chair would say: "The point of order is well taken. The motion to adjourn at this time will not be entertained. The voting will proceed."

Suppose some member thinks the chair is wrong. He would rise, and addressing the chair, say:

"I appeal from the decision of the chair."

If this appeal receives a second, as there must be two against the chair, it would be stated thus:

"The decision of the chair has been appealed from. Shall the decision of the chair become the judgment of the assembly?" or the shorter form: "Shall the chair be sustained?"

The chair would state his reason for deciding as he did, without leaving his place; and, unless the exceptions noted were present, the appeal would be open to discussion, each member speaking once, for or against it.

The debate could be closed by the order of the previous question, or the appeal could be laid on the table. The adoption of the latter motion would move it from before the house, and the effect would be the same as if there had been an affirmative vote on the appeal; that is, the chair would be sustained.

If another point of order were raised while this appeal is pending, the decision of the chair on it must be final, as there may not be an appeal upon an appeal.

When ready for the vote the presiding officer would put it thus:

"All in favor of upholding the chair in his decision," or, "All in favor of sustaining the decision of the chair, say aye."

"Opposed, no."

If the vote is in the affirmative, the result would be:

"The ayes have it, and the decision of the chair becomes the judgment of the assembly"; or, "The decision of the chair is sustained."

The business would then proceed as if the appeal had not been taken.

Had the vote been a tie, the chair would still be sustained, as it requires a majority vote to overthrow his decision, and a majority is always at least one more than half.

If the presiding officer is a member of the as-

sembly, as he usually is in voluntary societies, he has a vote, the same as any other member, and he may vote on an appeal so as to form a tie, and thus sustain his decision.

Had the majority however, been in the negative, the result would be announced thus:

"The noes have it, and the decision of the chair is reversed. The motion to adjourn must be entertained."

He would then be compelled to put it to vote, altho he knew that it was not in order at that particular time. The assembly is greater than the officers it selects to guide its deliberations, and the latter must obey its mandates, altho it may sometimes be mistaken in its conclusions.

If the point of order was raised against a member while speaking to a question, it could take this form: "Mr. President: I call the member to order. The language used is objectionable."

The member must then cease speaking, and sit down until the point of order is decided. The chair would say: "The chair deems the point of order well taken. The member will please refrain from the further use of such language if he proceeds."

It becomes the duty of the offending member to apologize, and then proceed in an orderly manner. His proceeding, or not, may be made the

subject of a motion to be decided by the assembly.

If some thought the language used was not objectionable, and an appeal was taken, the proceeding would be the same as in the first instance.

The offending member may be permitted to explain, either by the chair or the assembly, but general discussion or debate is not permissible on a point of order. The chair may ask advice of members, which should be given while sitting, so as not to partake of the nature of debate.

The chair is competent to raise a point of order, or, when raised, to submit it at once to the assembly for decision.

"Members must not use harsh expressions about other members, must not impute motives, but must always attack arguments, and not the men who make them." CHAPMAN.

CHAPTER VI.

PRIVILEGED MOTIONS.

"None but Privileged Questions can be brought forward while another question is before the assembly." THOMAS JEFFERSON.

THE fourth, and last class of motions are those motions of such importance as to supersede all other questions before the assembly for the time being. They are always in order when some urgent necessity demands immediate action; hence they are called Motions of Necessity.

Some of them are more urgent than others; therefore, they have an order of precedence among themselves. The diagram shows the following order:

To fix Time and Place to which to Adjourn.
To Adjourn.
To take Recess.
Questions of Privilege.
Orders of the Day.

Orders of the Day.

Orders of the Day are of two classes: General and Special.

General Orders are made by a majority, by postponing questions to a certain time, and by adopting a certain program, or order of business, for the day, or for the entire session.

A Special Order is made by postponing a question to a fixed hour of some certain day. When called up, it displaces all other business until it has been disposed of, and because of this high privilege it requires a two-thirds vote to adopt.

Some authorities claim, and very reasonably, that a majority should be able to postpone a question to a specified hour, since the motion to postpone to a day certain is really making a special order, as the question so postponed cannot be taken up before that time, except by a two-thirds vote.

The postponement to an hour of a day, they say, is not such an unusual proceeding as to require the two-thirds vote.

The practice in small bodies is generally in accordance with this latter theory, and is to be commended.

When any subject has been assigned to a particular day or hour—that is, has been made either a general or a special order—it cannot be consid-

ered before that day or hour arrives, except by a two-thirds vote of the assembly to that effect. When that time arrives however, and it is called up, it then takes precedence of all other questions, except the motions above it, and the motion to reconsider.

If the order is not called for on the day or hour specified it loses its privileged character, and comes up later, as any other postponed question, under the head of unfinished business.

When the Order of the Day is called for, the Special Orders are considered first, then the General. After they have been brought before the assembly at the appointed time, either by the chair, or a demand from the floor, they may be again deferred, or disposed of, as any other motion, or as if they had been but just proposed.

The *Order* was satisfied when called for at the designated hour.

While it requires a two-thirds vote to make a Special Order, for the reason that it is a virtual suspension of the rules, yet when called up, or brought before the assembly, a majority is competent to dispose of it.

A Special Order may be made to supersede a General Order, but it may not precede or interfere with another Special Order for the same hour. In both classes, the separate questions, if any, must be taken up in their exact order, the

one first assigned to that time taking precedence of others assigned later. The form of the motion is as follows:

Suppose the question, "That we donate fifty dollars to the school library," is under consideration at the December meeting, and it is desired to postpone it to the next meeting, in such a way as to insure at that meeting full time for discussion, the following method could be adopted. A motion to this effect is made:

"Mr. President: I move to postpone the question, 'That we donate fifty dollars to the school library,' to the January meeting, at 11.30 o'clock."

If the meetings are called to order at 11 o'clock, it is plain that this would be a suspension of the rules of order, and therefore, requires a two-thirds vote, as postponed questions generally come up under the head of unfinished business.

If this motion received a second, it would be stated, put to vote, and if carried by a two-thirds vote, the result, as announced, would be:

"The affirmatives have it, and the question, 'That we donate fifty dollars to the school library,' is postponed to our next meeting, and becomes a special order for 11.30 o'clock."

At the next meeting, promptly at 11.30 o'clock, whatever business may be before the house, a member would address the chair, and say: "Mr. President: I call for the Order of the Day."

This motion may be made when another member has the floor, and, like the Objection to the Consideration, and the Point of Order, requires no second.

The chair must immediately put the question, thus:

"The Order of the Day has been called for. Shall the assembly proceed to the Order of the Day? All in favor say aye."

"Opposed, no."

"The ayes have it, and the Special Order of the Day will be considered. The question, 'That we donate fifty dollars to the library,' is before you for consideration. Are there any remarks?" etc.

The Special Order, made at the last meeting, by a two-thirds vote of the assembly, has been satisfied, and the question it covered may now be postponed, laid on the table, referred to a committee, made a Special Order again, or disposed of in any way, at the will of the assembly.

After it has been finally disposed of, the business interrupted by it at 11.30 o'clock, will resume its place, and the meeting will continue as though there had been no such interruption.

Suppose, when the question on taking up the order was put, it was decided in the negative. Then the result would have been:

"The noes have it, and the Order of the Day will not now be taken up."

The assembly will proceed with the question under consideration, whatever that might be. But so soon as that pending question is disposed of, the Order must be stated by the chair.

The negative vote on the call for it merely delayed its consideration until the question immediately before the house was removed. If not called for at the appointed hour, or after a brief delay, it loses its place entirely, and would have to come in as new business if brought up again.

The General Order—that is, the regular program of the day—may be called for, when the time has arrived, by any member, thus:

"Mr. President: I call for the Orders of the Day."

All business stands in abeyance until this question of Order is decided. The chair puts the question to vote without waiting for a second, thus:

"The Orders of the Day have been called for. All in favor of proceeding to the Orders of the Day say aye."

"Opposed, no."

"The ayes have it, and the assembly will proceed to the regular Order."

The business before the house when the demand was made is *removed* as if it had been interrupted by an adjournment.

When a society has adopted an order of business for the day, specifying the hour at which each question shall be considered, the chair should announce that fact as the time for each question arrives, put to vote the pending question, and state the one to be next considered. Should an objection be raised to this course, the chair must submit the question to the assembly in the usual way: "Will the assembly now proceed to consider the subject" (stating it) "assigned to this hour?" If the vote is in the negative, he would resume the question under consideration; when it is finally decided, state the next in order, and so on, until all have been disposed of.

Questions of Privilege.

Questions of Privilege must not be confused with Privileged Motions, as the latter is a class including the former as well as others.

They arise out of matters affecting the rights, safety, integrity, and dignity, of the assembly, and those affecting the rights, reputation, conduct, and safety, of the members in their official or representative capacity.

Those affecting the assembly are of higher rank, and must precede and be acted upon, before those affecting the members individually.

Questions of Privilege, after assuming the form

of a motion, are debatable, and may be amended. They may also be referred to a committee, be postponed definitely or indefinitely, be laid on the table, and are subject to the application of the previous question.

If a Question of Privilege is raised, the business before the house is immediately put in abeyance until the Question of Privilege is satisfactorily disposed of; it then resumes its original place in the condition existing before its temporary displacement.

When a Question of Privilege has been referred to a committee, postponed, or laid on the table, it loses its privileged character, and when brought before the assembly again it is treated as any other question which has been referred, postponed, or tabled. The urgency which made it privileged at first, no longer exists; therefore, it becomes ordinary business.

This high privilege is accorded them because the comfort, efficiency, and the very existence of a deliberative body may depend upon the prompt disposition of a question of this nature. The quality of the privilege is rated by the necessity of action. If it must be acted upon at once, it becomes highly privileged, superseding everything else.

Rights of Members.

Questions of Privilege have to do with the rights of the members only, and do not include favors which one may want granted by the assembly, to himself or others. They provide means by which he may obtain those rights, when denied him; for instance, if the right of a member to participate in the debate, or to present a motion, is denied him by the chair, or is interfered with unnecessarily by other members, he may rise to a question of privilege, and stating wherein his rights are infringed, demand that they be no longer violated.

He may even interrupt another member for this purpose.

A member may also raise the question of privilege if he is wilfully or grossly misrepresented on a material point, altho a mere misunderstanding of his position by the member speaking would not be a sufficient cause.

Rights of the Assembly.

Questions affecting the assembly might arise from various circumstances: the condition of the hall, as to heat, lights, ventilation, number of chairs, the neglect of the janitor in caring for it, etc. Others might be caused by the behavior of

members or visitors, quarrels between members, the discipline, censure, or expulsion, of a member; charges made against the official character of a member or an officer; the credentials of members, votes of thanks to officers and others, motion to expel a reporter for false publication, and many others.

Forms of Questions of Privilege.

The forms are as follows:

"Mr. President: I rise to a question of privilege."

The chair would say: "State your question," or, "The member will state his question of privilege."

Member: "The hall is oppressively hot. May business be suspended until the windows are opened and the hall ventilated?"

The chair: "If there is no objection, a recess will be taken until the hall is ventilated."

Should some one object by simply saying "I object," then the question of privilege would assume the form of a motion, by the chair's stating it thus: "Shall the business be suspended for a few minutes in order to ventilate the hall?"

The motion is now a privileged motion, taking precedence of all other motions, except those of adjournment. It may be postponed, referred to

a committee, laid on the table, or, if the discussion has become tedious, the previous question moved and carried, in order to bring it to a vote. In this particular instance a vote only would seem necessary.

"All in favor say aye."

"Opposed say no."

"The ayes have it, and a recess will be taken while the windows are opened."

After the room had been ventilated the chair would call the meeting to order, business would be resumed at the place where the question of privilege interrupted it, and would continue in the usual way.

Again:

"Mr. President: I rise to a question of personal privilege."

The chair: "Please state your question."

Member: "I desire to correct a misstatement in an interview given out last evening, and printed in the morning's *Post*. My position on the financial question is well known in this body, and I think a denial of the statements attributed to me there is all that is necessary."

Having placed himself right with his colleagues, the privilege is at an end, and the regular order would resume its place.

To Take Recess.

The motion to take Recess is one of the privileged motions, and ranks next to the motion to Adjourn, but takes precedence of all other Privileged, Incidental, and Subsidiary motions. It is not debatable, and cannot be amended, or have any other subsidiary motion applied to it.

Its object is to allow the assembly to adjourn for a limited time during a session.

However, should the motion to take a recess be made when no other question is pending, it is permissible to treat it then as an ordinary main motion, subject to debate and amendment. Its privilege under such circumstances, would be of no advantage.

The form is very simple:

"Mr. President: I move to take a recess of ten minutes."

When seconded, the chair would put it to vote at once, thus:

"Shall the assembly take a recess of ten minutes? All in favor say aye."

"Opposed say no."

"The ayes have it, and the assembly is adjourned for ten minutes."

When no time is fixed in the motion it is presumed to be until the chair calls the meeting to order, the exact time depending upon the cir-

cumstances giving rise to it, as when waiting for a report of a committee, the result of a ballot, changing the temperature of the room, or any other temporary condition.

After a recess the business is resumed, and proceeds as though no adjournment had been taken, since it is still the same meeting.

To Adjourn.

The motion to adjourn ranks above all other motions, except the motion "to fix a time to which to adjourn." It is never debatable, can never be amended, and may not have any other motion applied to it. It may be made at any time, except,

1st. When a member is speaking from the floor.

2d. When the assembly is engaged in voting.

3d. When the chair is stating or putting the question.

4th. During the verification of a vote.

It may be made after the vote is taken, and before the result of it has been announced; in which case the result of the vote would be announced at the next meeting.

The motion to adjourn, if lost, may be renewed or repeated after debate, or any intervening business.

An assembly may desire to vote down the mo-

tion to adjourn in order to hear one speech, or the reading of one paper, take one vote, etc.; therefore it becomes necessary to give it this high privilege. Should it be used, however, simply to delay business, or to the annoyance of the assembly, the chair should exercise his authority, and refuse to entertain it.

The chair has the power, also, to declare an adjournment when there is no quorum, and in case of such disorder and violence in the assembly as to preclude the transaction of business.

The secretary should record such an adjournment, with the reasons of the chair for declaring it, that the assembly may have the opportunity, later, of passing upon the action and correcting any error of judgment which the chair may have made.

When a motion to adjourn is pending, a motion to enter a reconsideration of the minutes may be made; the motion to "fix time and place to which to adjourn" is in order, and from this latter motion may arise urgent Privileged questions, a question of Order, and an Appeal.

Parliamentary Inquiries may also be propounded and answered by the chair.

Hence a meeting is never adjourned until the motion to adjourn has been made, voted upon, the result announced, and the assembly declared adjourned by the chair.

Effect of Adjournment Upon Unfinished Business.

The effect upon unfinished business, when the motion to adjourn is adopted, is as follows: Where the motion closes one meeting of a session, when the session continues a day, a week, a month, or longer, the business interrupted by the adjournment would be the next in order after the reading of the minutes at the next meeting, unless otherwise provided for by special rule.

Where regular weekly or monthly sessions are held during the year, the business interrupted by adjournment at one session comes up in the regular order of business adopted by the society, generally under the head of unfinished business, and is treated as though just introduced.

If an organization holds but one meeting each year, then all business not disposed of when the motion to adjourn is adopted falls to the ground, and becomes of no effect whatever.

In an elective body, where all the members, or a part of them, are elected for one year, or longer, all business not completed at the expiration of the term of office is defeated by adjournment; and if brought up again, must come as new business.

If the motion to adjourn is qualified in any way, it loses its high privilege, is not in order when other business is pending, and should be treated as an ordinary main motion.

The motion to adjourn *sine die* is equivalent to a motion to "dissolve the assembly," an ordinary main motion, which may be debated, and is like, in all other respects, a principal motion, having no privilege whatever.

To Fix Time and Place to Adjourn.

The motion "to fix the time and place to which to adjourn" is of the highest privilege, takes precedence of all other motions, and yields to none, only when adjournment is imminent, and the time and place for the next meeting have not been arranged for.

The time and place for meeting are matters which generally require debate and amendment, and should, therefore, be considered as other important main motions; but if not decided when an unqualified motion to adjourn has been made, then to fix the time and place for the next meeting becomes highly privileged. Because of this privilege, however, and if made when other business is pending, it loses the power of debate, and must be disposed of summarily.

It may be made even after the unqualified motion to adjourn has been voted upon, but before the result has been announced.

Its form is as follows:

Suppose the motion to adjourn had been moved

and seconded, and it was suddenly realized that no arrangements had been made for the next meeting; then a member would address the chair and make the following motion:

"Mr. President: I move that when we adjourn we adjourn to meet in this same hall, at 11 o'clock, the second day of December."

When seconded, it would be put to vote at once, thus:

"It is moved, and seconded, 'That when we adjourn we adjourn to meet in this same hall, at 11 o'clock, the second day of December.' All in favor say aye."

"Opposed, no."

"The ayes have it, and the motion, 'That when we adjourn we adjourn to meet in this hall, at 11 o'clock, the second day of December,' is adopted. The question now recurs to the motion that we adjourn. All in favor say aye."

"Opposed, no."

"The ayes have it, and the motion to adjourn is adopted.

"The meeting stands adjourned."

If made when another question is pending, it is undebatable, but may be amended as to time.

"The Chairman should use judgment. The Assembly may be such that a strict enforcement of the rules, instead of assisting, would greatly hinder business; but in large assemblies, where there is much work to be done, and especially where there is liability to trouble, the only safe course is to observe a strict observance of the rules."

HENRY M. ROBERT.

"No vote should be taken on the adoption of the several paragraphs, one vote being taken finally on the adoption of the whole. By not adopting, separately, the different paragraphs, it is in order, after they all have been amended, to go back and amend any one of them still further. If each paragraph or section is adopted separately, it is improper afterwards to vote upon the adoption of the whole report, as this would be voting to adopt what had already been adopted in details." HENRY M. ROBERT.

CHAPTER VII.

MISCELLANEOUS MOTIONS.

"Each member is the equal with every other member; hence the rights of one leave off where the rights of another begin, and there must be mutual forbearance." AINSWORTH.

THERE are still a few motions to be considered whose nature will not permit the placing of them in any one of the foregoing classes; hence they are called Miscellaneous Motions. They are:

To Ratify.
To Rescind, or Annul.
To Renew a Motion.
To Close Nominations.
To Take Up Out of Order.
To Limit, Extend, or Close Debate.
To Reconsider.

To Ratify.

The motion, "To Ratify," is an ordinary main motion, used to confirm some action previously

taken. It is debatable, and also opens up to debate the question to be confirmed. It may be offered by any member, without regard to which side of the question he had voted on, or to the time elapsed since the action was taken.

It is used in the U. S. Senate to confirm treaties entered into with other nations by the President or Cabinet. In voluntary bodies it generally implies the relation of principal and agent, the assembly, of course, acting in the capacity of principal.

The form is simple:

"Mr. President: I move that the agreement entered into with Brown & Sons, for papering this hall, be ratified."

When seconded, it would be stated and treated as an ordinary main motion.

To Rescind.

The Motion to Rescind is used when an assembly wishes to annul or cancel some action previously taken, and it is too late to reconsider the vote by which it was adopted. It is an ordinary main motion, and may be made at any time subsequent to the objectionable resolution, order, or other proceeding, which it desires to abolish.

The motion to rescind may be made by any member. It opens the question to be rescinded to discussion, and when adopted, the effect is

the same as tho the resolution or other proceeding had never been before the assembly at all.

The form is:

"Mr. President: I move to rescind the action by which the resolution, 'Resolved, That the moral influence of the Public School is not as good as it should be,' was adopted at the January meeting."

When seconded, it would be stated thus:

"It has been moved, and seconded, to rescind the action by which the resolution, 'Resolved, That the moral influence of the Public School is not as good as it should be,' was adopted. Are you ready for the question?"

Not only the motion to rescind, but the merits of the whole question to be nullified, are debatable to a limited extent.

The question would be put to vote thus:

"All in favor of rescinding the action by which the resolution" (stating it) "was adopted, say aye."

"All opposed, no."

"The ayes have it, and the motion to rescind is adopted."

The record will show that such resolution has been rescinded by the assembly, but the minutes of the former meeting, at which the resolution just rescinded was adopted, should not be changed.

If the assembly desires to obliterate the record entirely, then the motion would be, "to Rescind and Expunge"; and if this motion is adopted, the Secretary draws a line around the words designated, and writes across them the words, "Expunged by Order dated March —, 19—." Such defacing of past records, however, is rarely, if ever, justifiable. The minutes of every meeting show the action and proceedings of that meeting, and when true to the facts, and approved by the assembly, should stand as evidence of such proceedings for all future time.

To Close Nominations.

The Motion to Close Nominations is sometimes of use during the election of officers, when nominations have been called for, and there are a number of responses.

When the motion is made, and adopted, it merely prevents the public indorsement of other candidates, but does not preclude their being voted for and elected.

Suppose nominations for the office of President have been called for, and the election is by ballot.

When all the members have had an opportunity of nominating, and a number of names have been presented, business could perhaps be hastened by the following motion:

"Mr. President: I move that the nominations be closed."

When seconded, it would be put to vote at once, as it is not debatable, thus:

"It has been moved, and seconded, 'That the nominations be closed.' All in favor say aye."

"All opposed, no."

"The ayes have it, and the nominations are closed. We will proceed to the election of President."

The names proposed before this motion was adopted are the candidates publicly announced, but if any one votes for another person, legally qualified for the office, that person also becomes a candidate; and if on that, or a subsequent ballot, he should receive the required number of votes to elect, he would be elected as fairly as tho his name had been presented before the nominations were closed.

To Take Up Out of Order.

The Motion to Take Up a Question Out of Its Order is undebatable, and, because it is really a suspension of the rules, requires a two-thirds vote to adopt. It has no privilege; that is, it may not be moved when any other question is pending.

Suppose a question has been postponed to a certain specified time, but it is desirable to con-

sider it before that time arrives. It could be brought before the house by means of this motion, thus:

"Mr. President: I move that the motion, 'That we give fifty dollars to the School Library,' be now taken up for consideration."

If seconded, it would be put to vote, with little, if any, debate, thus:

"It has been moved, and seconded, to take up the motion, 'That we give fifty dollars to the School Library,' for immediate consideration. All in favor, rise, and stand until counted."

"Opposed, rise."

"Two-thirds have voted in favor; therefore, the motion is adopted. The question, 'That we give fifty dollars to the School Library,' is before you for consideration and disposition."

It may now be disposed of as any ordinary main motion would be.

To Limit, Extend or Close Debate.

The motions, To Limit, Extend, or Close Debate, are all undebatable, but admit of amendment. There are times when it is desirable to limit the time that a certain question shall be discussed; or to limit the time each member may speak to the question; or, again, to appoint the day and hour that the debate shall be closed and

the question put to vote. This is also true of a pending amendment, or of an amendment to the amendment, etc.

The forms are as follows:

"Mr. President: I move that the debate on the question, 'That we give fifty dollars to the School Library,' be limited to 45 minutes"; or, "I move that each member be allowed but ten minutes in the discussion of the question"; or, "I move that the discussion be closed at 12 o'clock."

When seconded, the question would be put immediately, thus:

"All in favor of limiting the debate on the question, 'That we give fifty dollars to the School Library,' to 45 minutes, rise, and stand until counted."

"All opposed, rise."

"There is a two-thirds majority in favor. The debate will be limited to forty-five minutes."

The other motions are disposed of in the same way.

To Renew a Motion.

The rule is that when a motion has been acted upon by the assembly, it is disposed of for that session, and may not be brought forward again except by means of the motion to reconsider.

But while this is true of the main motion and amendments, it does not apply to the more privi-

leged motions. The interests of the assembly may be better subserved by the renewal of one or more of them, altho they may have been voted down a short time before.

Whenever the status of the question has in any way been changed, so that it is really not quite the same question as it was when the subsidiary, or other motion, was made, then such subsidiary, or other motion, may be renewed.

The motion to adjourn, we learned, may be renewed after the transaction of any business, or even mere progress in debate.

Any one of the following motions may be renewed at the same session, providing the state of affairs has been altered since it was last made:

Subsidiaries.

To lay on the table.

To postpone to definite time.

To commit.

To postpone indefinitely.

All Incidental Motions, except to suspend the rules, for the same purpose, altho if the question was not finally disposed of, this motion may be renewed on the same question at a future meeting.

All Priveleged Motions, except the call for the orders of the day, after being defeated, while the same question is still pending.

Suppose a main motion is pending, and a mo-

tion to lay on the table is made, but voted down; then a motion to refer to a committee is made, and is under discussion. The status of the question now is different from that existing when the motion to lay on the table was rejected. The friends of the measure would, perhaps, prefer it to go to the table than to a committee, and would now vote for that motion, if offered. Because of this change, the motion to table is again in order. The latter motion, however, would not be in order if made after the motion to refer to a committee had been voted on and defeated, for the reason that the question would then have gone back to the same condition existing when the first motion to table was made.

Again, suppose the motion, "That we give fifty dollars to the School Library" is pending; a motion to indefinitely postpone it has been made, and defeated; then one or more amendments have been adopted, so that it is now really a different question.

The motion to indefinitely postpone could be renewed now, and, if adopted, dispose of the question, in spite of the improvement made by the amendments.

The motion to reconsider, when acted upon, cannot be renewed, unless the motion reconsidered was amended at that time.

A motion which has been withdrawn has not

been acted upon, and, therefore, may be renewed at the same meeting.

To Reconsider.

The Motion to Reconsider is used to recover possession of a motion which has been disposed of. It cannot be amended, because it is already in the simplest form.

It may be debated when the motion to which it is applied is debatable, and the previous question has not been ordered. When debatable, the merits of the question to be reconsidered are open to discussion. Under the operation of the motion to reconsider, it becomes possible to debate a main motion three times:

When first presented.

While the motion to reconsider is pending.

When the question has been brought before the house again, by the adoption of the motion to reconsider.

When the motion to reconsider a vote by which another motion was adopted prevails, the original question resumes its place before the assembly in exactly the same condition which existed before the first vote on it was taken. It may be again debated, amended, or have any subsidiary motion applied to it.

If the vote on the original motion had been taken under the order of the previous question, it

is divested of the previous question when reconsidered, unless the effect of the previous question had not been entirely exhausted by votes taken on all the questions covered by it, before the motion to reconsider was made.

Since the question assumes the exact condition existing before it was put to vote, if a member had previously exhausted his right of debate he could again take part in the discussion only when the motion to reconsider was pending, not after the question had been reinstated.

If the motion to reconsider is lost, the question sought to be reconsidered is in no way affected. The motion to reconsider the vote by which a question was adopted, or lost, is in order at any time, even when the assembly is voting on the motion to adjourn, or when another member has the floor; but while this high privilege allows it to be made, and entered on the minutes, it must wait for consideration until there is no other question before the house.

In societies which hold meetings at regular intervals, as often as once a month, the motion to reconsider must be made during the meeting at which the question to be reconsidered was voted on, or at the next succeeding meeting. If not made then, the only means of reaching the question is to rescind it, if adopted, and to renew the motion, if lost.

The motion to reconsider must be made by one who voted on the prevailing side, unless the vote was by ballot. The prevailing side may be either the affirmative or the negative; if a motion requiring a two-thirds vote was not carried, the prevailing side would, of course, be the negative; and in case of a tie, which always loses, the motion must come from one who voted against the measure.

If the motion is to reconsider a subsidiary motion, it must be acted upon at once, in order not to delay the progress of the main motion to which the subsidiary was applied.

The motion to reconsider, whenever debatable, may be brought to vote by the operation of the previous question. It may be postponed to a given time, and it may be laid on the table, without, however, tabling the original question. The effect of the motion to reconsider is to hold in abeyance the question which is sought to be reconsidered, until the motion to reconsider is definitely disposed of.

This suspensive effect is limited to the sessions of an assembly holding daily meetings, and to the close of the next meeting, when held at regular stated intervals; as often as once a month. In case of a permanent society holding regular meetings, the effect of the reconsideration will not

continue beyond an adjourned meeting held on a different day.

During the meeting at which it was made any one may call it up for consideration, when no other question is pending; but should it extend to the next meeting, then only the member having it entered on the minutes may call for it.

What Motions May Be Reconsidered.

The motion to reconsider may be applied to the vote on all motions, except to adjourn, to suspend the rules, an affirmative vote to lay on the table, or to take from the table, and a vote electing to office one who is present and does not decline. In general, any motion may be reconsidered which does not go into immediate effect, and no motion can be reconsidered after any action has been taken under it which cannot be reversed by the assembly. If, for instance, the previous question has been partly executed, the vote by which it was ordered cannot be reconsidered.

No question can be reconsidered more than once, unless, when first reconsidered, it was amended.

If it is desired to reconsider the vote on an amendment, either adopted or rejected, after the main motion to which it applied was adopted, the only way of reaching such amendment is by

first reconsidering the vote on the main motion; when that is reopened to consideration, then the vote on the amendment, or amendments, in order, may be reconsidered; so that the whole question, with the pending amendments, is brought again before the assembly for renewed action.

The motion to Reconsider, if made when no other question is pending, yields to all Incidental motions, and all Privileged motions except the Order of the Day. If the motion is made, and entered on the minutes, while other business is in progress, it may be called for so soon as the question then pending is disposed of; and when called for then, or at any time later, it takes precedence of everything except the motions to adjourn, and to fix time and place to which to adjourn. When it has been called for it is subject to the same treatment as other motions, and if interrupted by adjournment, holds over as unfinished business.

The motion to Reconsider is in order in a committee, only when every member who voted on the prevailing side of the question to be reconsidered is present; but it is not restricted by any time limit.

Form of Motion to Reconsider.

The form of the motion is as follows:

"Mr. President: I move to reconsider the vote

by which the motion, 'That we give fifty dollars to the School Library,' was adopted" (or lost), "and ask that the motion be entered on the minutes."

The chair asks if he voted on the prevailing side.

The proceedings would be suspended until the secretary enters the reconsideration, with the name of the mover, on the record of the meeting.

When the question pending was disposed of, or at any time during that session, or the next session, when no other question was before the assembly, the motion to reconsider could be called for by any member, at the meeting when it was made, or by the mover, at the next meeting, in the following manner:

"Mr. President: I call for the motion to reconsider the vote by which the motion, 'That we give fifty dollars to the School Library,' was adopted."

When this is seconded, the chair states it, thus:

"The reconsideration entered on the minutes" (stating the time) "has been called for. Shall the vote on the motion, 'That we give fifty dollars to the School Library,' be reconsidered? Are you ready for the question?"

This is now debatable, and also allows discussion of the main motion. The motion to reconsider may be postponed until later in the meeting.

It may be laid on the table, but in that case the original motion is no longer bound by it. It yields only to the motion to adjourn. If the discussion becomes tedious, the previous question may be moved, and, if ordered, affects only the motion to reconsider.

The vote on it would be put thus: "The question is on the adoption of the motion to reconsider the vote by which the motion, 'That we give fifty dollars to the School Library,' was adopted. All in favor say aye."

"Opposed, no."

"The ayes have it, and the motion to reconsider is adopted. The motion, 'That we give fifty dollars to the School Library,' is before you for your consideration."

By the operation of the motion to reconsider, the question to which it was applied is restored to the assembly in the exact condition in which it stood immediately before the vote disposing of it was taken. It is now subject to any disposition which the assembly may desire.

If the motion to reconsider is made when no other question is pending, it is not so highly privileged, and yields to all the Incidental and Privileged motions, except the Call for the Orders of the Day.

Its form is simple:

"Mr. President: I move to reconsider the vote

by which the motion, 'That we give fifty dollars to the School Library,' was referred to a committee."

The chair inquires if the member voted on the prevailing side, and, when seconded, would state it thus:

"It has been moved, and seconded, to reconsider the vote by which the question, 'That we give fifty dollars to the School Library,' was referred to a committee. Are you ready for the question?"

This applies to a subsidiary motion, and must, therefore, be acted upon at once, altho it may be debated. It would be put to vote thus:

"The question is on the adoption of the motion, 'to reconsider the vote by which the question, "That we give fifty dollars to the School Library," was referred to a committee.' All in favor say aye."

"Opposed, no."

"The ayes have it, and the motion to reconsider is adopted. The question, 'That we give fifty dollars to the School Library,' is again before you, divested of the motion to commit."

The vote on the subsidiary motion to commit has been reconsidered, and the question committed brought back again.

The motion to Reconsider never requires more than a majority to adopt, altho the question to

be reconsidered may have been adopted by a two-thirds, or even a larger number, of votes.

Parliamentary Inquiries.

Parliamentary Inquiries are questions addressed directly to the chair concerning the proper conduct of business, and to which it is the duty of the chair to respond with satisfactory explanations, but without arguing the point. They do not include points of order, but refer only to the meaning of a rule, whether a certain proposition would be in order if presented, etc. They should be confined, as far as possible, to matters immediately before the assembly.

The form is as follows:

"Mr. President: I rise to a parliamentary inquiry."

The chair: "State your inquiry."

Member: "Would a motion to reconsider the question" (stating it) "be in order?"

The chair: "It is in order"; or, "it is not in order" (according to circumstances).

Resolutions of Sympathy.

Resolutions are brought in by the committee appointed to draft them, in the same manner as a report of a committee, and are treated in a similar way. The following may serve as an example:

Madam President: Your committee appointed to draft resolutions upon the illness of our absent member Mrs. Brown, desires to submit the following:

"*Whereas*, Our sister member, Mrs. Brown, has been absent from her accustomed place for several meetings, and enquiry has developed the fact that she has been and still is quite ill.

"*Be it Resolved*, That we, as members of this Class for the study of Parliamentary Law, do hereby extend to her our sincere sympathy, and express the hope that her recovery may be early and complete, and that she may be with us soon again; and

"*Be it Resolved*, That a copy of these resolutions be forwarded to Mrs. Brown, and also transcribed on the record as a part of the minutes of this meeting.

"Respectfully submitted,

"AMIE GREEN, chairman."

CHAPTER VIII.

VOTING.

"The only case where a member has a right to insist on anything is where he calls for the execution of a subsisting order of the assembly."

THOMAS JEFFERSON.

VOTING is the most important act of every deliberative assembly, and is the only means of obtaining a decision of the members on any question.

Common Parliamentary Law requires only a majority vote for the adoption or defeat of any measure; but this rule has been modified by societies and legislatures so generally, in respect to a certain class of motions, that it is contended by some that such modifications are really a part of the common law.

The majority—one more than one-half of the members—as concerns the acts of the assembly, is the assembly itself; therefore, if the majority agree, it is an agreement by the whole body; and

yet experience has proven the wisdom of allowing a mere plurality to rule in some cases and to require a two-thirds vote in others.

Less than a majority, however, can never decide questions upon resolutions, orders, bills, etc., a plurality vote, the largest of several votes, being permitted only in the election of officers, where there are more than two candidates. Even then, the election of an officer by a plurality vote, which is not equal to a majority, is often ratified by a majority vote of the assembly.

The motions for which the two-thirds vote is required are all motions which in some way interfere with the right of discussion of the question, or the right to enforce rules previously adopted by the assembly.

Motions Requiring Two-thirds Vote.

The following list comprises those motions requiring a two-thirds vote. A careful examination will show that each one has the effect of changing or suspending some rule common to all deliberative bodies. They are:

1. To Amend the Rules (also requiring previous notice).
2. To Suspend the Rules.
3. To Make a Special Order.
4. To Take up a Question out of its Proper Order.

5. An Objection to the Consideration of the Question.

6. To Extend, Limit, or Close Debate.

7. The Previous Question.

The rules adopted by an assembly for the control and conduct of its proceedings are adopted by a majority, and may be repealed by a majority vote, when no longer adequate to its needs; but so long as they remain on the statute books, or continue a part of its organic law, they may not be suspended for a particular purpose, or on particular occasions, by less than a two-thirds vote.

So long as they exist they should govern, but for the sake of convenience, when some unusual situation arises, the privilege of suspending them temporarily is generally put into the hands of two-thirds of the body.

This two-thirds vote always means two-thirds of those voting; but the rule may be expressed so as to mean two-thirds of those present, or two-thirds of the whole membership.

In any case, the provisions of the constitution, by-laws, standing rules, or rules of order, must be followed.

If a regulation of the society provides that the amendments to the by-laws be adopted by two-thirds of those present, then such amendment would be carried only by the affirmative vote of two-thirds of those present. All must be count-

ed; the ones not voting would be counted in the negative, as a matter of course.

If two-thirds of the whole membership were required, the members on the roll must be counted, and two-thirds of the whole number must vote in favor, regardless of the number present.

The last two methods are very awkward, and should not be required except in matters of the gravest importance to the whole assembly. The vote is always taken in the affirmative first, and must be followed by the negative.

Every member should take his part in the transaction of business by voting, as well as in making motions and discussing the question. Should he not do so voluntarily, however, there is no way of compelling him to do so.

Only those who vote are counted, either in the affirmative or negative, except in cases requiring a vote of all present, or of all the members. Those who do not vote are, however, silently assenting to the action of the majority, whether for or against the measure, and are not at liberty to question such action afterward.

Methods of Voting.

There are several methods of voting, all of which have been sanctioned by long and established practice. They are:

1. By silent assent.
2. By voices.
3. By showing hands.
4. By division.
5. By roll-call, or by yeas and nays.
6. By ballot.

Silent Assent.

The chair uses the first method, silent assent, when he puts the question on routine matters, and on motions which he has reason to think will not meet with any objections.

When the minutes of the preceding meeting are read, it is usual for the presiding officer to say: "If there are no objections, the minutes will stand approved"; or, when the mover of a motion wishes to withdraw it, the chair often says: "If there is no objection, the motion will be withdrawn."

If no one objects, he would, in the first instance, declare the result, as though the vote had been taken in the usual way, thus: "The minutes are approved"; and in the second instance, "The motion is withdrawn."

Had there been an objection raised, by a member saying, "I object," then the result could not have been announced until the affirmatives and negatives were both taken, and the majority had decided the question.

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By silent assent many things may be done without the formality of a vote, and thus the time of the assembly saved for other matters. It should be used, however, with discretion, and may be avoided always by one objector.

Voice.

Voting by voices is the usual method, and one familiar to all. It is used not only for motions, resolutions, bills, orders, etc., but sometimes in the election of officers, when there is but one candidate, and the rules do not provide for election by ballot.

There are various ways of putting a question to vote, but the differences are in details, and slight.

One form, which is brief, clear, comprehensive, and dignified, and which, once learned, will not be easily forgotten, has been adhered to in this book.

The chair says: "The question is on the adoption of the motion" (stating it). "All in favor say aye."

When the assembly votes, he puts the negative thus:

"All opposed say no."

Then the result is announced: "The ayes have it, and the motion is adopted"; or, "The noes have it, and the motion is lost."

In case of a tie vote, the motion is lost, unless the chair gives his vote in favor of it, as he has a right to do; since, if a member of the assembly, he may always vote, when his vote will affect the result. He may vote in the negative to form a tie, and thus defeat a measure. The tie loses, because every question must be carried by a majority. At the very least, there must be one more than one-half the votes in favor of it.

The only exception to the rule that a tie vote loses is in the case of an appeal from the decision of the chair. The principle here is that it requires a majority to overthrow the decision, since it already exists.

An equal number of votes does not affect the judgment of the chair. The chair may also vote in the affirmative and form a tie, and thus sustain his ruling.

While taking a vote, any member may rise, address the chair, speak, or make a motion, and thus continue the consideration of the question, after the affirmative side has been put; the presence of the member in the room when the vote was partly taken is not material; also, when the chair has announced the vote, and it is found that a member had risen, and addressed the chair, before the negative was put, such member is still entitled to be heard.

In either case, the question is again open, and

"All those opposed, rise, and stand until counted." After the count had been taken he would again say, "Be seated," and then announce the result, thus:

"There are fifteen votes in the affirmative and ten in the negative. The motion is adopted."

Roll-call on Yea and Nay.

The vote by roll-call, or by yeas and nays, is used to secure absolute certainty, as well as a record of the individual votes. This method of voting is peculiar to this country, and is not used often outside of legislative assemblies. By the Constitution of the United States, one-fifth of the members present, in either house of Congress, may order a vote to be taken by yeas and nays.

A similar provision is made in most representative bodies. The Common Law requirement is that the yea and nay vote may be ordered only by a majority vote.

This method of voting may not be called for as of right, because it requires so much time of the assembly to enter the name of each voter on the minutes, and because a member may not be compelled to publish his vote, except there be some special reason therefor, and then only upon an order of the assembly.

Voting in this way, the chair states both sides

of the question at once, the secretary calls the roll, and as the member rises and responds, either "aye," or "no," his vote is entered on the record. When all the names have been called the secretary reads the names of those voting in the affirmative, then those voting in the negative, that possible mistakes may be corrected; he then hands the list to the chair, who announces the result. The entire vote must then be entered on the minutes.

No one can be excused from voting; neither may the debate be renewed after the secretary has begun to call the roll.

The yeas and nays is not in order in the Committee of the Whole.

Sometimes the call for the yea and nay vote is made at the same time that the resolution is submitted. In such a case the chair does not notice the call until the resolution is seconded; then, after stating the resolution, he would add: "Shall the yeas and nays be ordered?" If the required number, where a special rule exists, or a majority, respond in favor, then the vote on the resolution will be taken by that method.

The full and free discussion of the resolution is in no way interfered with; the order merely fixes the manner of taking the vote.

The usual form of the call is as follows:

"Mr. President: I call for a yea and nay vote

on the question, 'That we give fifty dollars to the Library.' "

When seconded, since it is undebatable, the chair puts it to vote immediately, thus:

"The yea and nay vote has been called for on the question, 'That we give fifty dollars to the Library.' All in favor say aye"; or (where a certain number is required), "All in favor, rise, and stand until counted." Then:

"All opposed, rise."

Then the result would be announced, thus:

"The required number" (or a majority) "has voted in favor. The yeas and nays are ordered."

When the question is ready for voting, the chair would put it in this way:

"The question is on the adoption of the motion, 'That we give fifty dollars to the Library.' All that are in favor, when their names are called, will say 'aye.' Those that are opposed will say 'no.' "

The secretary calls the names from the roll, making a note of each vote as given; when completed, the whole list is read over, mistakes corrected, if any; opportunity given to change their votes, if desired; then handed to the chair, who announces the result, thus:

"There are fifteen votes in favor of the motion, and ten against. The motion is adopted."

A record of every member's vote should be entered on the minutes for future reference.

Ballot Vote.

Voting by ballot is the method used to secure a secret vote, and is accomplished by means of white and black balls, or by written or printed slips of paper. It is not resorted to, usually, except for the election of officers, and the admission of candidates to membership. Whenever vote by ballot is required by the constitution or by-laws of a society, by the charter of a corporation, or by statute law, it must be so conducted as to give every member a secret vote. Neither a majority vote, nor unanimous consent, can alter or evade that requirement.

Casting Ballot by Secretary.

A motion for the secretary, for the chair, or for any member, to cast the ballot for one candidate, or for all the candidates, is out of order. Candidates so elected are not legally elected, and the manner of such election is contrary to the whole spirit and purpose of the ballot vote.

The point is raised, in favor of such practice, that any member may object, and thus compel a ballot vote. It is never right to compel

a member to publish his vote, as he must do, by objecting to the casting of it by the secretary, when he has the right of a secret vote, by virtue of the Constitution, or other law.

The duty of balloting is individual and personal, and cannot be delegated to another, unless it be where different delegations are required to vote as a unit, when, of course, some one member is appointed to cast the result of the vote of the delegation.

When a motion is made to instruct the secretary, or some other member, to cast the ballot for a candidate, the chair should at once declare it out of order. If he fail to do so, a member should rise to a point of order, thus preventing a violation of the law of the organization, and perpetuating a practice subversive of a fundamental principle.

The chairman usually appoints two or more tellers, who prepare and distribute slips of paper, upon which each member, including the presiding officer, writes the name of the candidate for whom he wishes to vote, the names of the candidates having been previously announced, either by nominations from the floor, or by a report of a committee appointed for that purpose. The members are not restricted, however, to names thus proposed, but may vote for any one legally qualified for the office.

The teller collects the ballots, counts them, and reports to the presiding officer, who announces the result in the following manner:

"The whole number of votes cast for president is 50.

"Number necessary to election is 26" (if a majority vote is required).

"Mr. A. received 28.

"Mr. B., 12.

"Mr. C., 10.

"Mr. A., having received the required number, is elected."

In counting ballots, all blanks are ignored; and in voluntary societies, ballots should be credited to the candidate for whom they were intended, regardless of slight inaccuracies which may exist. The chair, when a member of the society, always votes when voting is by ballot; but should he neglect to do so until after the ballots are counted, he cannot then vote, except by permission of the assembly. A member cannot change his vote, when by ballot.

Declaring Vote Unanimous.

A ballot vote which was not unanimous cannot be made so by a motion to that effect.

A motion to declare the vote unanimous, when it was not so, is not in order, and has no effect upon the election if adopted.

The minutes show the result of the ballot, and the motion to declare it unanimous does not, and cannot, change the record. If the defeated candidate, or his friends, wish to show their friendly attitude toward the successful candidate, it should be done in some way which is in keeping with the requirements of the organic law.

Voting by Proxy.

Voting by proxy is not permitted, except by some special rule, or by the unanimous consent of the assembly. When permitted, a committee should be appointed to receive and report on them.

The following is a simple form which will serve in ordinary societies:

I hereby constitute and appoint Mr. A. to vote as my proxy at the annual meeting of the Literary Society, to be held on January the tenth, 1908, or any adjourned meeting thereof, for the election of officers, and upon such other questions as may properly come before such meeting.

JOHN JONES.

January 2, 1908.

Proxies do not affect the question of quorum.

Casting Vote.

The casting vote is that given by the presiding officer when the vote of the assembly has resulted in a tie. When he has already voted as a member, he may not vote a second time, even in order to break the tie.

If the presiding officer is not a member of the body he cannot vote at any time, except such power has been conferred upon him by special statute.

The Speaker of the National House of Representatives is a member of that assembly, therefore he may vote at all times when his vote will affect the result.

The Vice-President presides over the Senate, by virtue of the Constitution of the United States, but he is not a member of that body, and, therefore, has no vote. The Constitution, however, confers upon him the power of casting a vote when the vote of the Senate results in a tie.

Lieutenant-Governors of States are usually given such authority by the State constitutions.

Quorum.

A quorum is the number of members of an organization legally competent to transact business.

Under the common parliamentary law a quorum is never less than one-half the entire membership, but a smaller number is often fixed by special rule.

When less than a majority is authorized to do business, it is necessary to state the time and place of meeting, or to require the presence of the regularly elected officers, in order to prevent possible formation of different sections, equally competent to act for the whole body.

Legislative bodies do not modify the common law requirement, while voluntary societies find it generally aids their purpose to do so.

Debate may continue after a quorum has been broken, but voting may not; and the debate itself would have to cease should the question of quorum be raised. The only business in order then would be a motion to adjourn, or to fix a time and place to which to adjourn.

A majority of a quorum must take part in the voting to render it legal. A quorum of a standing or special committee is a majority, unless modified by special rule, the committee itself having no power to regulate it in any way.

In a Committee of the Whole the quorum is the same as in the assembly.

Unanimous consent cannot be given when no quorum is present.

The chairman alone may adjourn the body when no quorum is present, or when those present will not vote for adjournment.

"The will of the majority is often defeated for the want of the general diffusion of, and familiar acquaintance with, correct forms of parliamentary procedure."

JOSEPH B. BURLEIGH.

"Nothing tends more to throw power into the hands of the opposition than a neglect of, or departure from, the rules of proceeding."

ONSLOW.
Speaker of the House of Commons.

CHAPTER IX.

ORGANIZATION.

"Wherever there is an Assembly there is need of Parliamentary Law, so that the Assembly may proceed in orderly fashion, with as little jar and discord as possible, and accomplish the work to be performed; which work is, in all instances, to obtain the sense of the assembly and shape its action in accord therewith."

THOMAS B. REED.

ASSEMBLIES differ in membership and purpose, but all, when once organized, meet with the implied understanding that they will be governed by the general custom or law of such assemblies.

Until an assembly is fully organized, it cannot make any special rules, but after complete organization the general parliamentary law may be modified in minor matters to meet the especial need.

All assemblies are, from their nature, democratic, and the will of the majority must control; but the majority controls only after due consideration.

As one of the fundamental principles of Parliamentary Law is that all questions are debatable, then it seems that deliberation should precede decision. This principle is based on the supposition that the intention of an organized body is to arrive at a conviction in respect to the question before it takes action, and not to act on the first impression.

Kinds of Assemblies.

Assemblies are of three kinds: Voluntary, Representative, and Legal.

Voluntary.

Voluntary Assemblies are formed by calling together all those interested in some specific object. They may be either occasional or permanent.

Occasional assemblies include mass-meetings, meetings called to consider matters of general or local interest, political caucuses, and all bodies organized for some purpose specified in the call, and which are dissolved as soon as that purpose is accomplished. Permanent bodies are those which meet at certain times fixed by their constitutions, by a statute, or by the constitution of the State.

Representative.

Representative Assemblies are those having a membership composed of delegates from other societies, whose duty it is to act for those societies in the representative body. They include all political and other conventions in which the members are required to present credentials to certify their claims to membership.

Legal.

Legal Assemblies are those created by law, or by the operation of law, the members of which are elected, or appointed, according to the provisions of the law creating them.

These include constitutional conventions, legislatures, city councils, and all official boards.

Lodges, and all societies of that order, are, from a parliamentary standpoint, legal assemblies, as they are organized and maintained under a central and higher authority.

Organization.

Organization is of two kinds—Temporary, and Permanent.

Temporary.

A Temporary Organization is had when a meeting is called for a single purpose, or when

called for the formation of a permanent convention, society, etc., at which time it serves as the preliminary step to the permanent organization.

Permanent.

A Permanent Organization is necessary where an assembly intends holding a series of meetings in succession, as a convention, or a meeting, at certain fixed intervals, as once a month, or a session extending over several months, as a legislature.

It consists in electing officers, appointing committees, adopting rules, etc., for a certain definite time, generally for a year, or for the life of the session.

Permanent Organization is Double or Dual.

Double.

Double Organization is accomplished when the simple or temporary organization is effected first, and then succeeded by the adoption of a constitution, election of permanent officers, appointment of committees, etc. When a double organization is needed, no business can be transacted under the temporary organization, except to take the necessary steps toward the permanent organization.

Dual.

Dual Organization occurs when the assembly is composed of two branches, as the Senate and the House of Representatives of the National or State legislatures.

Organization of Temporary Body.

A Temporary Organization is effected in the following manner: Suppose a meeting was called for the purpose of organizing a Nature Study Class.

At the appointed place and hour, some one among those present rises, steps forward, and says: "The meeting will please come to order. I move that Mr. A. act as chairman of the meeting." If his motion is seconded, he puts it to vote in the usual way, thus:

"It has been moved, and seconded, that Mr. A. act as chairman of the meeting. All in favor say aye."

After the affirmative is taken, he proceeds:

"All opposed say no."

If the majority vote in favor, he will announce the result, thus:

"The ayes have it, and the motion is adopted. Mr. A. will please take the chair."

If the motion was lost, he would so state it, and call for the nomination of some one else for

chairman, and would put the question on such nomination.

The member calling the meeting to order need not nominate the chairman himself, but instead, may say: "The meeting will please come to order. Will some one please nominate a chairman?" When a name is announced, he puts it to vote, as before. If several nominations are made, the vote is put on the first one, and if that one is not elected, then on the next, and so on, until a majority vote in favor is secured.

After the chairman of a large assembly is elected, the member who nominated him, alone, or with another, usually accompanies the newly elected chairman to the platform, where he briefly thanks the assembly for the honor conferred upon him, and assumes control of the meeting.

The chairman then says: "The first business in order is the election of a secretary."

Some one nominates Mr. B., thus: "I move that Mr. B. act as secretary of the meeting."

When seconded, the chairman puts the question thus:

"It has been moved, and seconded, that Mr. B. act as secretary of the meeting. All in favor say aye."

"All opposed say no."

If carried in the affirmative, the result would be announced thus:

"The ayes have it, and the motion is adopted. Mr. B. will act as secretary of the meeting."

Mr. B. takes his seat near the presiding officer, and keeps a correct and concise record of the proceedings.

The temporary organization is now completed, and all the rules of the common parliamentary procedure are in force, and all subsequent business must be conducted in compliance therewith.

If other officers are deemed necessary, they may be elected in the same manner; but these are all that are needed to complete the organization. There must be always a president—the head—to guide, and a secretary—the hand—to record the transactions of any organized body.

If a written notice of the meeting had been sent out, the chairman would ask the secretary to read the call, thus:

"The Secretary will please read the call for the meeting."

The Secretary rises, and reads the following:

"WASHINGTON, D. C., January 7, 1908.

"A meeting will be held on Wednesday, January 15, 1908, at 11 A.M., in the Study Hall of the Public Library, to consider the organization of a society for the study of Nature during the coming spring and summer. Your attendance is requested. CHARLES WARING."

It would be in order for the one issuing the call, or any person present, to make the following motion immediately:

"Mr. Chairman: I move the adoption of the following resolution: Resolved, That we organize a society for the study of Nature during the coming season"; or, "I move that we organize a society for the purpose stated in the call."

When this has been seconded, and stated by the chair, it is open to discussion, and the application of any of the subsidiary or other motions, in the same manner as that of any main or principal motion.

If no formal call had been issued, and the chairman was sufficiently acquainted with the objects for which the meeting was called, he could state them to the assembly; or, he could simply ask, "What is the pleasure of the meeting?"

Then the person most interested would take the floor and present the subject, in the form of resolutions, previously prepared, or would move to appoint a committee to draft resolutions expressing the sense of the body, and present them at an adjourned meeting. This adjourned meeting may be set for another day and hour, or may be held on the same day, after an intermission long enough for the committee to prepare the resolutions.

In the first instance, the resolutions are presented as follows:

"Mr. Chairman: I move the adoption of the following resolution: Resolved, That it is the sense of this meeting that a society be organized for the study of Nature during the coming spring and summer."

When seconded, the chair states it as follows:

"The following resolution" (reading it) "has been moved, and seconded. Are you ready for the question?"

It becomes now the question before the house for consideration and final disposition, the same as any ordinary motion.

If no resolution had been prepared, a motion to appoint a committee to draft one or more could be made, as follows:

"Mr. Chairman: I move that Mr. A., Mr. B., and Mr. C., be appointed a committee to draft resolutions expressive of the sense of this meeting, and report at an adjourned meeting, to be held on Saturday, January 18, at 10 A.M., in this hall."

When seconded, the chair would state it, and, after discussion and amendments, if any, would put it to vote, as follows:

"The question is on the adoption of the motion, 'That Mr. A., Mr. B., and Mr. C., be appointed a committee to draft resolutions expressive of the

sense of this meeting, and report at an adjourned meeting, to be held on Saturday, January 18, at 10 A.M., in this hall.' All in favor say aye."

"All opposed say no."

"The ayes have it, and the resolution is adopted. Mr. A., Mr. B., and Mr. C., will consider themselves a committee for the said purpose, and will report at the time designated."

There being no other business which may be brought before this temporary body, the motion to adjourn would be in order, and, when carried, the meeting adjourns until Saturday, January 18, at 10 A.M. The temporary organization has been effected, and will continue until the society is permanently organized, with permanent officers, etc.

If the meeting was called for some special purpose, such as protesting against some existing condition, as, for instance, the impassable condition of the streets, resulting from a heavy snowfall, it would be organized in the manner set forth in the preceding paragraphs.

After resolutions calling upon the authorities of the city for a removal of the snow had been passed, and whatever other action thought necessary taken by the assembly, the meeting would adjourn without day, its object having been accomplished.

Organization of Permanent Body.

Permanent Organization is always preceded by Temporary Organization.

A permanent society is organized in the following manner: Suppose a call has been issued to all those interested in forming a society for general philanthropic work to meet at 11 A.M., Saturday, January 18, 1908, in the Study Hall of the Public Library, Washington, D. C.

At the appointed hour, one of those present calls the meeting to order, and asks for nominations for a temporary chairman. A motion is made that Mr. A. act as temporary chairman.

When seconded, the motion is put to vote, and, if carried, the result is announced, thus:

"The ayes have it, and Mr. A. is elected chairman of the meeting."

Mr. A. takes the chair, and says: "The first business in order is the election of a secretary."

It is moved, and seconded, by a member, "That Mr. B. act as secretary."

The question is put to vote, and, if the motion is adopted, the chair announces the result, thus:

"The ayes have it, and Mr. B. is elected secretary. Mr. B. will please come forward."

Mr. B. takes his place beside the presiding officer, and the temporary organization is complete.

The chairman then orders the call for the meet-

ing read by the secretary, or calls upon some one specially interested, to state the purpose of the meeting, or presents the object to be accomplished himself.

Informal discussion should be encouraged, the chairman being careful to observe the wishes of the assembly, not to be too strict and yet not to permit one or two to occupy all the time.

After sufficient time has been spent in becoming familiar with the objects to be accomplished by the proposed organization, a resolution should be offered stating those objects clearly and briefly, in order to facilitate definite action.

Generally, this resolution is prepared in advance, and should take a form like the following:

"Mr. Chairman: I move the adoption of the following resolution: Resolved, That it is the sense of this meeting that a society for general philanthropic work should be formed"; or, the briefer form may be used: "I move that we organize a society for general philanthropic work."

When seconded, the chairman would state it in the usual way, thus:

"You have heard the resolution. It is moved and seconded, to form a society for general philanthropic work. Are you ready for the question?"

This resolution could have been presented immediately after the election of the chairman and secretary. The only advantage derived from its later introduction is due to the fact that many people will often give their views more freely in an informal discussion than when speaking to a question, stated in the form of a motion or formal resolution.

When debate has been exhausted, the chair would put it to vote in the following manner:

"The question is on the adoption of the following resolution, 'Resolved, That it is the sense of this meeting that a society for general philanthropic work be formed.' All in favor say aye."

"All opposed say no."

"The ayes have it, and the resolution is adopted."

Now that it has been decided to form a society of this kind, steps must be taken toward its permanent organization.

A member would rise and make a motion to this effect:

"Mr. Chairman: I move that a committee of five be appointed to draft a constitution and by-laws for this society, and to report at an adjourned meeting."

After having been properly seconded, and stated by the chair, this motion may be amended as

to the number constituting the committee and as to the manner of appointment.

When put to vote, if carried, the result, as announced, would be:

"The ayes have it, and a committee of five will be appointed to draft a constitution and by-laws for this society, and to report at an adjourned meeting."

This committee may be appointed either by the chair or by the assembly, as the latter decides. After the appointment of this committee the chair would inquire: "What is the further pleasure of the meeting?"

If no further steps toward the permanent organization are proposed, a motion to adjourn is in order. This motion must include the time and place to which to adjourn, as, otherwise, a formal call would be necessary to bring them together again.

A member should move "That the meeting adjourn, to meet in this same hall, on Saturday, January 25, 1908, at 11 A.M."

As no other question is pending, this becomes a main motion, is debatable, and may be amended. When this motion has been perfected, and adopted, the meeting stands adjourned until the time specified.

The second meeting is called to order by the temporary chairman elected at the preceding

meeting, as the temporary officers, when present, always serve until the permanent officers are elected.

The chairman calls for the minutes of the preceding meeting. After the minutes have been read by the secretary, the chair asks: "Are there any errors or omissions?" If any are noted, the secretary is directed by the chairman to make the proper corrections, and then says: "If there is no objection, the minutes will stand approved as read," or "as corrected," if corrections have been made.

Adoption of Constitution.

The chairman then says: "We will now listen to the report of the Committee appointed to prepare a Constitution and By-Laws." The chairman of the committee rises, and, after reading the report, hands it to the presiding officer, or secretary. The chairman of the committee, before taking his seat, should move the adoption of the report. If he does not do so, some member should rise, and say: "Mr. Chairman, I move that the report of the Committee be adopted."

When seconded, the chair would state it, thus: "It has been moved, and seconded, to adopt the Constitution and By-Laws as submitted by the Committee. Are you ready for the question?"

The question is now open to discussion, and the Constitution is read, one article at a time, beginning with the first.

The preamble, if there is one, is left until the whole Constitution has been considered, article by article.

The secretary is directed to read the first article, and the chairman asks: "Are there any amendments?" If one or more are proposed, they are acted on in turn. The article is of the nature of a main motion, taking two amendments; the amendments are adopted, but the article itself is only perfected, not adopted.

When no more amendments are offered, then the chair directs the secretary to read the second article, and asks for amendments to it.

It is treated in the same manner as the first, and, when perfected, is laid aside, and the third article is read, and considered, in like manner; and so on until all the articles have been examined, and amended, if necessary.

The preamble is then read and amended, and the chair directs the secretary to read the entire Constitution, as amended, and asks: "Are there any amendments to any part of the Constitution?" If none, the question is put on it, thus:

"The question is on the adoption of the Constitution, as amended. All in favor say aye."

"All opposed, no."

"The ayes have it, and the Constitution, as amended, is adopted."

If the Constitution is divided into paragraphs, or sections, instead of articles, it should be considered and amended by paragraphs, or sections, in the same way.

If a provision of the Constitution requires the members to sign it, then a recess of ten or more minutes should be taken for that purpose.

When the meeting is again called to order, only those who have signed the Constitution are entitled to participate in the proceedings.

Adoption of By-Laws.

The chair now says:

"The next business in order is the adoption of the By-Laws, as recommended by the Committee," and directs the secretary to read the first one, and asks for amendments.

The By-Laws are treated exactly as the Constitution; are perfected, one at a time, and then adopted as a whole.

Election of Officers.

After the adoption of the Constitution and By-Laws, the chair says:

"The next business in order is the election of the permanent officers of the society."

Some one moves "That a committee be appointed to nominate the permanent officers." If this motion is carried, and the committee appointed, a recess may be taken while the committee is preparing the nominations, or other business may be attended to.

When the Committee is called upon, the chairman of the committee reads the report, and the officers are elected by ballot, or otherwise, as provided by the Constitution and By-Laws just adopted.

As each officer is elected he takes the place held by the temporary officer, and when all have been elected the permanent organization of the society is complete.

Organization of a Convention.

A convention is a representative assembly composed of members who have credentials and certificates of election, and whose membership may be contested. A double organization is, therefore, necessary.

The first, or temporary organization, is for the purpose of ascertaining who are privileged to become members.

The second, or permanent organization, is for the purpose of transacting the business entrusted to the convention.

The temporary organization of a convention is effected in the same manner as that of the temporary organization of a permanent society, already described.

The only business in order is to ascertain the membership. This is usually accomplished by the appointment of a committee to examine the credentials and certificates of election.

All whose credentials, or certificates of election, were properly made out, become members by the adoption of the report of this committee, and they, only, are competent to take part in the proceedings of the convention.

When the credentials of all the delegates have been passed upon, the assembly is ready for the permanent organization.

The temporary organization may be made permanent by a vote, as follows: Some one rises, and moves "That the temporary organization be declared permanent." When seconded and stated by the chair—or, as it includes the election of the chairman, it perhaps would be better to have it stated and put to vote by the member making the motion—it is open to debate and amendment, as any ordinary main motion.

If adopted, it completes the permanent organization, and the temporary officers become the officers of the convention.

The permanent officers may be nominated also

from the floor, or by a committee appointed for that purpose, which brings in a report in the usual way.

During the existence of the temporary organization no person's right to a seat may be challenged, but the right to preside, or to hold any office, may be. The challenge must be made before his election, and, when made, his credentials must be passed upon by a majority of those delegates whose credentials are known to be in proper form.

In acting on the report of the Committee on Credentials, only those delegates whose credentials are reported perfect may vote.

An order of business is adopted as soon as the permanent organization is completed, which provides all special regulations requisite for the conduct of the business of the convention.

Organization of Legal Bodies.

City Councils, and similar bodies created by law, are organized in accordance with the provisions of the charter under which they exist, but come under the general parliamentary law in all cases not provided for by the statutes and special rules of the individual bodies.

All official organizations, such as school boards, and incorporated business associations, are bound

by law to transact all business in accordance with parliamentary procedure, except only that business coming under the provisions of special statutes.

The Dual organization of Legislative Bodies is effected in various ways. The methods of no two States are identical, being fixed by the Constitution or by special statutes.

"The assembly cannot deprive itself of the power to direct its method of doing business. It is like a man promising himself that he will not change his own mind." THOMAS B. REED.

CHAPTER X.

CONSTITUTION AND BY-LAWS.

"They postpone the preamble till the other parts are gone through with. Such alterations may therein be made as may also occasion the alteration of the preamble." THOMAS JEFFERSON.

THE organic law of every permanent society is derived either from the statute authorizing its organization, the charter granted it by the parent body, or the constitution and by-laws which it adopts for its own use.

In all cases, such organic law has the same binding force upon the members of that organization as the constitution and statute law of the State has upon its citizens: there exists the same obligation to conform to the provisions of that organic law in order to preserve harmony in the society, if not the same fear of the penalty attached to its violation.

Incorporation.

If an organization is incorporated, it is organized in accordance with the laws of the State in which it expects to prosecute its work. The by-laws, or special rules, adopted by it, must conform strictly to the statutory law, and may be amended only according to provisions of the latter. The statute of the State, and the articles of incorporation, take the place of the constitution of an incorporated body. Incorporation enables a society to hold property and to take legal action in the name of the organization. This corporate name is protected, and acquires a legal standing similar to that of an individual.

An incorporated body continues indefinitely, regardless of the passing of the individual members. The laws governing incorporation differ in the different States, and the papers to be made out are not uniform; hence the student should consult the proper authority in the State of his residence.

Subordinate Bodies.

When the organization is a branch of a parent body, such as a Chapter of the Society of the Daughters of the American Reyolution, or a local subordinate lodge, it receives a charter from the central authority, which serves as its constitu-

tion. The by-laws adopted for its own particular needs must in no way violate the provisions of this charter, or the constitution and by-laws of the parent body; neither may the charter, nor the constitution and by-laws, of the higher body, be suspended.

A permanent organization which is neither an incorporated nor a subordinate body, adopts its own organic law, in the form of a constitution, a constitution and by-laws, or merely by-laws.

When a constitution and by-laws are adopted, which is preferable to either one alone, except for the most informal societies, the former should contain only those parts of the organization which are of the utmost importance, and the details should be left entirely to the by-laws. The constitution may be compared to the framework of a house, giving it its general plan and support, while the by-laws provide the interior arrangement.

Provisions of Constitution.

The fundamental provisions, as embodied in the constitution, are as follows:

Name of the organization.
Object to be accomplished.
Qualification of members.
Officers, name and number.
Executive Committee, or Board of Directors.

Annual Meeting.

Provisions for amendment.

The wording of these seven articles should be as brief as is consistent with perfect clearness; there should not be a shadow of doubt as to the meaning of any one of the provisions.

The constitution cannot be suspended; its adoption was necessary to complete the permanent organization, and its suspension would induce a state of anarchy. Amendment of the constitution should be difficult. A formal notice of the amendment should be read at the previous meeting, attached to the call for the meeting, and a two-thirds or three-fourths vote should be required for its adoption. It should be open to amendment only at a quarterly or the annual meeting.

Provisions of By-Laws.

The By-Laws should provide for those regulations too important to be left to the will of the majority at any meeting.

They should arrange all the details of the machinery of the organization, so that harmony may be maintained at all times, and the work of the body facilitated. If it is deemed expedient, a provision for the suspension of one or more should be incorporated in them, as they may not be suspended, except as they provide for their own suspension.

By-Laws supplement the Constitution, and fill in the details of the outline of the organization as drawn by it. They should cover the following points, some, or all, of which are necessary to the conduct of all societies.

The method of admitting members.

The nomination and election of officers.

The duties of officers.

Provision for filling vacancies in office.

The initiation fee and dues.

The time and place of meetings.

The number constituting a quorum.

The standing committees.

The parliamentary authority.

Provision for amendment, and suspension if desired.

By-Laws may not be amended, except upon a notice to that effect, previously sent out, and by a two-thirds vote, unless otherwise provided for by a special rule.

If there is no special rule to the contrary, an amendment to the Constitution or By-Laws goes into effect immediately after its adoption.

Standing Rules.

Standing Rules are resolutions of a permanent nature adopted by a majority at any meeting, and contain those regulations which may be changed without previous notice.

After the adoption of such a rule it remains in force until rescinded, suspended, or modified, at some future meeting. They may not conflict with the Constitution, By-Laws, or Rules of Order.

A Resolution or Standing Rule may not be modified at the meeting at which it was adopted, except by reconsidering the vote by which it was adopted.

Rules of Order.

Rules of Order contain only those rules relating to the transaction of business in the meetings of the society.

They should not be incorporated in the By-Laws, inasmuch as a society frequently desires to suspend or change the usual order of proceeding, that some special matter may receive immediate attention.

Much confusion may be avoided in practice by a clear understanding of the use and nature of these various rules.

Rules of Order provide only for the orderly transaction of business at the meetings of the society, and may be suspended for a specific purpose by the use of the Incidental Motion, to suspend the rules.

The Standing Rules are simply one or more

resolutions adopted by a majority at any meeting, and which continue in force until modified, suspended, or rescinded, by a like resolution, at some future meeting.

The By-Laws should contain all those rules which are of too great importance to be changed without a previous notice to that effect, sent to all the members of the society; and time should be given for careful consideration.

The Constitution should contain only those fundamental rules without which the society would cease to be an organized body.

The following models will serve to aid the student in appreciating the differences existing among them, and will prove useful in drafting constitutions and by-laws for voluntary societies.

FORM OF CONSTITUTION.

Preamble.

Whereas, the need for some more systematic effort to be made in conducting the charitable and philanthropic work of our village is felt, we have resolved to organize a Club for the purpose of making a study of the existing conditions, of educating our people to a higher conception of such work, and of accomplishing the practical work so much needed.

Article I.

Name.

This Club shall be called the Century Club of Washington, D. C.

Article II.

Object.

The object of this Club shall be to promote general philanthropic work along practical and educational lines.

Article III.

Membership.

All who are in sympathy with the aims of this Club shall be eligible to membership.

Article IV.

Officers.

The Officers of this Club shall be a President, a Vice-President, a Recording Secretary, a Corresponding Secretary, and a Treasurer, who shall serve for one year, or until their successors are elected and qualified.

Article V.

Executive Committee.

The Officers of this Club and the Chairmen of standing committees shall constitute a Board of Directors for the transaction of business.

Article VI.

Annual Meeting.

The April Meeting shall be for the election of officers, the reading of annual reports, and the payment of dues.

Article VII.

Amendment.

This Constitution may be amended by a two-thirds vote at the Annual Meeting, provided notice of such amendment shall have been given, in writing, at the previous regular meeting, and appended to the call for that meeting.

FORM OF BY-LAWS.

Article I.

Duties of Officers.

SECTION 1. The President shall preside at all the meetings of the Club and of the Executive Committee, and shall present at the Annual Meet-

ing a report of the work of the Club during the preceding year. He shall appoint all special committees, fill all vacancies in standing committees not otherwise provided for in the by-laws, and shall be a member, ex-officio, of all committees.

SEC. 2. In the absence of the President, the Vice-President shall perform the duties of that office.

SEC. 3. The Recording Secretary shall keep the minutes of the meetings of the Club and of the Executive Committee, and shall perform such other duties as the Club may direct.

SEC. 4. The Corresponding Secretary shall conduct the correspondence of the Club, send out all notices, except those relating to the payment of dues, and keep a list of members.

SEC. 5. The Treasurer shall be the custodian of the funds of the Club, which shall be deposited in a bank designated by the Executive Committee, and paid out only on the order of the Executive Committee, or upon the signature of the President and Secretary. He shall keep an itemized account of receipts and expenditures, file vouchers of all payments, and present a full report at each meeting of the Club and of the Executive Committee.

SEC. 6. The Executive Committee shall appoint the Chairmen of all standing committees, and shall fill all vacancies which may occur in the

offices of the Club and in its own Committee, the appointees to serve until the next election.

Article II.

Membership.

SECTION 1. The name of an applicant for membership shall be presented, in writing, to the Membership Committee, by a member of the Club, indorsed by one other member.

SEC. 2. Associated members may be admitted upon the payment of ten dollars a year. Such members shall be exempt from the duties of active membership, and may enjoy all the privileges of the Club, except that of voting and of holding office.

SEC. 3. Honorary membership may be conferred by a majority vote at any regular meeting, upon the recommendation of the Executive Committee.

Article III.

Dues.

SECTION 1. The dues shall be five dollars a year, payable at the annual meeting in April.

SEC. 2. Members, when dues are unpaid at the January meeting, shall be notified by the Treasurer.

Members whose dues for the previous year re-

main unpaid at the annual meeting, may be dropped from the roll, at the direction of the Executive Committee.

Article IV.

Meetings.

SECTION 1. The regular meetings of the Club shall be held at eight o'clock, on the evening of the first Friday of each month, from October to May, inclusive.

SEC. 2. Special meetings of the Club may be called by the Executive Committee, by a written notice to each member.

SEC. 3. The Executive Committee shall meet twice a month for the transaction of business.

It shall hold special meetings at the call of the President, or upon the request of three of its members.

Article V.

Elections.

SECTION 1. The election of officers shall be by ballot; a majority of the votes cast by those present shall be necessary to elect.

SEC. 2. No person shall be eligible to the office of President for more than two consecutive terms.

Article VI.

Committees.

The Committees shall be as follows:

SECTION 1. A Program Committee, consisting of three members, which shall present a program for the meetings of the ensuing year, at the annual meeting.

SEC. 2. A Membership Committee, to whom all applications for membership shall be submitted. It shall investigate the qualifications of such applicants and report to the Executive Committee for action.

SEC. 3. An Auditing Committee, which shall examine the accounts of the Treasurer, and report at the annual meeting.

SEC. 4. A Ways and Means Committee, to devise and direct the plans for raising money for carrying on the work of the Club.

SEC. 5. A Nominating Committee, consisting of five members, shall be appointed by the Executive Committee, at the March meeting, and shall present to the Club, at the annual meeting, a list of candidates, two names for each office.

The Officers shall be voted for separately.

Article VII.

Quorum.

Four members of the Executive Committee, besides the President, shall constitute a quorum.

Article VIII.

Amendments.

These By-Laws may be amended at any regular meeting, notice having been given, in writing, at the previous regular meeting, and appended to the call for the meeting. A two-thirds vote of those present shall be necessary for adoption.

Article IX.

Parliamentary Authority.

The Rules contained in ———— shall govern in all cases wherein they do not conflict with the rules of this organization.

FORM OF RULES OF ORDER.

Order of Business.

Annual Meeting.

Meeting called to order by President.

Reading and approval of minutes of the last meeting.

Appointment of tellers.

Nominations and elections of officers.

Reports of officers.

Reports of chairmen of standing committees.

Reports of chairmen of special committees.

Report of tellers.
Miscellaneous business.
Adjournment.

Regular Meetings.

Meeting called to order by President.
Reading and approval of minutes of the last meeting.
Communications from Corresponding Secretary.
Report of Treasurer.
Announcements.
Reports of standing committees.
Reports of special committees.
Unfinished business.
New business.
Program.
Adjournment.

"Each organization may arrange an order of business to suit its needs, and, when adopted, may be suspended only by a two-thirds vote. Unless an assembly had the right to limit debate, the hour of adjournment would frequently find nothing done." McGregor.

CHAPTER XI.

NOMINATIONS, ELECTIONS AND DUTIES OF OFFICERS.

"Eager as listeners, wishing they dared speak, and reproaching themselves afterward, they need only the confidence which comes from knowing how, to become active and vital forces."

H. R. SHATTUCK.

THE special rules of most organizations require the officers to be elected by ballot. This is accomplished by the suggestion of one or more names by members for the office to be filled. These suggestions are known as nominations; they do not require a second, and are not of the nature of motions.

Each member has the right to name his candidate, and to vote for him, regardless of the number of other candidates suggested.

All of the candidates named must have an equal right of election; therefore, they must be voted for at the same time. Otherwise, the first one nominated, and voted for, would have an advan-

tage over the ones named later. While each member has the right to nominate one candidate for each office to be filled, he may not name more than one, for the reason that a multiplicity of nominations would render an election difficult.

A member may withdraw his nomination before the vote is taken, and make another, if he desires, and he is not bound to vote for his own candidate, although the presumption is that he would do so.

The motion to close nominations is never in order until every member has had an opportunity of presenting his candidate. Not even a majority of the assembly has the power to deprive a member of this right. Some writers on parliamentary law have maintained that a nomination is a motion, and is governed by the law of motions; that when several candidates are named, the vote must be taken upon each one, in order of presentation.

That this is not according to the spirit of parliamentary law is evident from the fact that in the case of nominations there would be several motions pending at one time, a condition contrary to one of its fundamental principles, viz.: that but one main motion may be before the house at a time.

A nomination differs from a motion in several ways. First, it need not be seconded. A member

has a right to vote for his candidate, altho he may be unable to secure a second to his nomination.

Second, one nomination does not give way to a later one, as would be required of motions.

Third, several nominations are voted upon at the same time.

Fourth, nominations of officers are not an essential preliminary to voting. A member may vote for some one properly qualified, whose name has not been publicly announced; and such candidate may, on subsequent ballots, be lawfully elected.

If, then, several nominations may be pending at one time, they must be voted upon in a manner which is fair to all. This requires a vote by ballot, by roll-call, by division into different parts of the hall, or some other way which insures equal chances of election to each candidate.

Election by Motion.

An officer may be elected by means of a motion, if the rules of the organization do not require a ballot vote; but it would be possible only when there was but one candidate, and the procedure is entirely different. Suppose the office of secretary was to be filled, and some one had moved, "That Mr. A. be elected secretary." After the motion had been seconded, the chair would

state it, and, after allowing time for remarks, would put the vote on it, thus:

"The question is on the adoption of the motion that Mr. A. be elected secretary of this organization. All in favor say aye."

"All opposed say no."

"The ayes have it, and Mr. A. is elected secretary."

This method is always in order when the rules do not require the election of officers by ballot; but when such regulations do exist, the right of each member to a secret vote may not be abrogated in that way.

Even tho he may not want to publicly announce his candidate, still he may want to vote for him, or he may want to vote against the candidate named, without his vote being known, as it would be, necessarily, in a vote by voice.

Election by Acclamation.

It is customary in some societies to move that the candidate be "elected by acclamation." If the rules require a ballot vote, such a motion is never in order. Neither is it in order when there are other candidates, whose names have not been withdrawn.

It is not a motion recognized by parliamentary procedure, and its only object is to give the candidate the appearance of great popularity.

It really does nothing but fix the method by which the candidate is elected, and that would be accomplished more properly by moving "That a *viva voce* vote be taken on the nomination."

"Voting by acclamation" really means voting by "a shout," and that certainly would be unseemly in any deliberative body. It is excusable only in a political convention.

Informal Ballot.

It is also customary, in some voluntary societies, to take an "informal ballot," as a test of the strength of the opposing candidates, and then to vote that the "informal ballot" be made formal. This practice has no sanction in parliamentary law, nor in properly organized bodies.

An "informal ballot," whose stated object is not to elect the candidates voted upon, will not meet the requirements of the ballot vote provided for by the rules of the organization, even tho adopted as "formal" by voice.

If, when voting for officers, there are a number of candidates, it is not in order to move that the voting be confined to the two or more having the highest number of votes in ballots already taken. Each member has the right to vote for his candidate to the very last, and the majority cannot, by vote, deprive him of the privilege.

In voting a ticket containing a certain number of names, it becomes vitiated if another name is added by the voter, unless the name added is for another office. In such a case, the additional name would not count for anything; neither would it affect the legality of the vote for those candidates properly indorsed on the ticket.

Nominating Committee.

If a committee is appointed to bring in a list of candidates for the offices to be filled, other nominations may be made from the floor, when the proceedings are under the general parliamentary law. That law provides that each member shall name and vote for any candidate he chooses, and his vote shall be counted. When, however, the organization has adopted a method of nominating and electing its officers, and incorporated that method into its constitution and by-laws, then the provisions of the general parliamentary law, in that particular matter, yield to the special law of the organized body, and the election is legal only so far as it is conducted in accordance with its constitution and by-laws.

A nominating committee has only those powers conferred upon it by the rules of the organization, but the disposition of its report must be in keeping with those same rules.

If they provide for a committee whose duty it is to bring in a list of candidates for all offices, and explicitly state that no other nominations are to be considered, then nominations from the floor would be out of order.

The special rule supersedes the general law.

Nominations and elections frequently take place on the same day.

All the officers may be elected at the same time, or they may be taken separately. The last method consumes a great deal of time, but has this advantage: that candidates not elected for one office are free to be nominated for other offices.

When the election is by ballot, tellers should be appointed to take charge of the ballots, and to make out an accurate report, as soon as they are cast.

Report.

This report should take a form similar to the following:

Number of votes cast for President.....	100
Number of legal ballots.....	98
Number necessary to elect (by majority vote)	50
Mr. Jones received.....	72
Mr. Brown received.....	20
Mr. Smith received.....	6

The ballots for other officers are made out in the same manner, and the entire report handed to the presiding officer, who reads it to the assembly; or, the report may be made for each office as the ballots are cast.

The presiding officer need not read out the entire report, unless it is called for, but state the fact of the election of Mr. Jones, as follows:

"Mr. Jones, having received the majority of the votes cast, is declared elected President of this society."

Completing Motions.

Nominations are also used for the purpose of completing skeleton motions or resolutions. The blanks to be filled in may be for names, sums, times, etc.

The principle is the same in all, but the method of filling them differs somewhat.

Suppose the following skeleton resolution was presented: "Resolved, That a committee of three, to consist of ——— and ——— and ———, be selected to make arrangements for a banquet."

Nominations of Mr. A., Mr. B., and Mr. C., are made from the floor. If but three names are suggested, the vote could be taken by voice, thus:

"Shall Mr. A., Mr. B., and Mr. C., serve on this committee?" or, "Shall the names mentioned

be inserted to complete the resolution? All in favor say aye."

"All opposed say no."

"The ayes have it, and the resolution is completed by the names of Mr. A., Mr. B., and Mr. C. The question recurs to the resolution as completed. Are you ready for the question?"

After discussion, it would be put to vote in the usual way, thus:

"The queston is on the adoption of the motion that a committee of three, consisting of Mr. A., Mr. B., and Mr. C., be selected to make arrangements for a banquet.

"All in favor say aye."

"All opposed say no."

"The ayes have it, and the resolution is adopted. Mr. A., Mr. B., and Mr. C., will consider themselves a committee to make the necessary arrangements, and report them to the society."

Had there been more than three names suggested, the only fair way would be to select them by ballot, and the three names securing the highest number of votes would be used to complete the motion. Or, suppose the following skeleton resolution was presented:

"Resolved, That ——— dollars be appropriated for the erection of a new church."

Nominations of sums are made in the same

manner as the names for officers, or for completing resolutions, but the voting is different.

Various sums are proposed, and the vote is put on the largest sum first, then the next highest, and thus on down, until a majority vote is reached.

Voting from the greatest to the least is the practice of most legislative bodies, but the nature of the resolution sometimes reverses the process.

In the resolution proposed, suppose the sums of five thousand, four thousand, and three thousand dollars, were suggested, the vote would be put on the highest, thus:

"All in favor of five thousand dollars being inserted say aye."

"All opposed say no."

"The noes have it, and the motion is lost.

"All in favor of four thousand say aye."

"All opposed say no."

"The ayes have it, and the blank is filled by four thousand.

"The question is on the adoption of the motion" (as completed) " 'That four thousand dollars be appropriated for the erection of a new church.'

"All in favor say aye."

"All opposed say no."

"The ayes have it, and four thousand dollars are appropriated for the erection of a new church."

the question is put on it, but should it arise, the motion is amenable to the general procedure.

Duties of the Presiding Officer.

When an organization is completed by the election of officers, the chairman becomes the head of the newly created body. He is known by different titles.

In the lower houses of legislative bodies he is usually addressed as Mr. Speaker. In religious convocations he is called Mr. Moderator. In committees he is always the Chairman. In voluntary societies he is generally referred to as the President, etc.

Upon him depends the harmonious working of the affairs of the organization. He preserves order in the assembly, and becomes the arbiter of the differences among the members.

He must be absolutely just and fair in his decisions, and in recognizing members who rise to obtain the floor.

He must decide all questions of order, subject to an appeal by any two members, and inform the assembly, when it becomes necessary, in respect to all points of order or practice.

He must interpret the rules of the organization, but his interpretation may be overruled on an appeal.

He must enforce the rules of the organization, even to the extent of disciplining members, and in this ungracious task he should be warmly supported by the assembly. Should the disorder grow beyond his control, making the transaction of business impossible, he may adjourn the meeting.

He should not permit the business of the society to be unnecessarily obstructed by the use of dilatory motions.

He should have a comprehensive knowledge of parliamentary law, and should insist upon the transaction of business according to its spirit, if not to the letter, in order that it may bear the test of future investigation.

He should not take part in debate on any question, but sustain an entirely impartial attitude toward all. If it becomes desirable for him to enter into the discussion, he should vacate the chair and take his place among the members; nor should he resume the chair until the question has been put to vote.

He may not be deprived of his vote, nor need he exercise it, except at his pleasure. When voting by ballot, his ballot should be cast last; and if he fails to do so before the result is announced, he still may be allowed to vote by unanimous consent.

In voting by voice he does not vote, except when his vote will affect the result.

In case of a tie, he may vote with the affirmative, and break the tie, or he may vote with the minority, make a tie, and thereby cause the motion to fail. The same is true of a two-thirds or three-fourths vote.

Whenever a motion refers especially to the president, he may request the secretary, or the member presenting the motion, to put it to vote. If there are others included in the proposition, however, it is not out of place for the president to put the question and announce the result.

He does not leave the chair in speaking to a point of order, or stating his reasons on an appeal.

When the vote is taken by the yeas and nays, his name is the last one called.

It is a part of his duty to answer all parliamentary inquiries pertinent to the pending question, and of such general nature as may facilitate the work of the society; since the object of parliamentary law is to subserve the interests of the assembly.

In addition to a knowledge of parliamentary forms, and a familiarity with the constitution and by-laws of the organization, he should have a liberal allowance of common sense, a fine sense

of courtesy, and a high regard for the rights of each member.

His attitude toward all should be marked by strict justice and unvarying kindliness.

He calls the meeting to order at the appointed hour, and, after ascertaining the presence of a quorum, conducts the proceedings according to the Rules of Order adopted by the society. It is better for him to stand when making all announcements, and stating the question, as well as when putting the motions to vote, and speaking to an appeal. All authorities say he must stand when putting the question and defending his decision on an appeal.

He recognizes the member who first rises and addresses him, thereby giving such member the floor.

As the member rises he takes his chair. There should be but one person on the floor at a time. He need not wait for mere routine motions to be seconded, when it is evident no one objects to them.

If a member makes a wrong motion, he should tactfully suggest the right one. The member will be grateful, and confusion avoided.

He should never interrupt a member speaking from the floor, unless some rule of order or procedure is being violated. He should state clearly all motions properly presented, put them to vote,

and announce the result of such votes in a voice which may be heard in all parts of the hall.

He is never *ex-officio* a member of a committee, unless the constitution, by-laws, or standing rules, provide for such membership.

He speaks of himself during a meeting as "the Chair," and outside of the meeting as "your President."

In the absence of both President and Vice-President, the meeting is called to order by the Recording Secretary, and a chairman *pro tem.* elected by the assembly.

A chairman elected in this way serves during that meeting only.

Recording Secretary.

The Secretary is the hand which records the proceedings of the organization, as directed by the President.

He may, or may not, be a member, but when he is he loses none of his rights by performing the duties of the office.

He retains the privilege of making motions, taking part in the discussion, and voting, altho, as a rule, his duties preclude an active participation in the transaction of business.

His position, on the platform, at the right hand of the presiding officer, should not give him any

advantage over other members on the floor in obtaining recognition by the chair.

He enters the proceedings upon the journal, or minutes, for the members, and, therefore, they not only approve them at the next meeting, but the right to correct and perfect them continues indefinitely.

The minutes may be changed regardless of length of time that has elapsed, without a motion to reconsider.

The Secretary may not intrude his personal opinion of the transactions into the minutes. He has neither the right to indulge in fulsome praise of speeches made, nor carping criticism of actions taken.

His duty is to record, without comment, the acts of the assembly.

He makes no record of the debate unless a special rule of the organization authorizes him to do so.

In the absence of the President and Vice-President, he calls the meeting to order, and presides during the election of a President *pro tem.*

He should prepare an order of business of the day for the use of the President.

He reads all resolutions, communications, and other documents, demanded by the assembly; also all announcements are made by him.

All documents and important papers of the as-

sembly are in his keeping. He calls the roll for the yea and nay vote, and counts the members during a division, if tellers have not been appointed.

If there is but one secretary, he conducts the correspondence of the society in connection with his other duties; if more than one, their duties should be designated by special rule.

It is his duty to make a list of the committees as they are appointed, and to notify each chairman of his appointment; he also provides each chairman with a list of the members serving on the committee, and all papers concerning the question referred to them.

The minutes, and all official documents of the organization, may be examined by the members, and may be turned over to any committee if needed to complete its investigations, or to perform its duties.

If the secretary is absent, a secretary *pro tem.* should be appointed by the assembly.

The style of the minutes depends largely upon the kind of meeting, and whether they are to be published. In the latter case, much of the routine business would be omitted, and the speeches delivered would be reported at greater length.

Ordinarily, a record is not kept of the debate.

The average society is more concerned with what was done than with what was said.

Reports and communications may be entered in full; a brief summary may be made, and the original documents filed, or they may be referred to by title and then filed.

The first seems preferable in voluntary societies, at least, as it makes a complete record in small compass, easily accessible to the members.

In any case, all resolutions contained in a report must be recorded.

The essentials of the minutes of all organizations are as follows:

Kind of Meeting—Regular, Special, Adjourned.

Name of Organization.

The Date and Hour of Meeting.

The Place of Meeting.

The Presiding Officer.

The Secretary *pro tem.*, if Secretary was absent.

Approval of the Minutes of the preceding meeting.

Members present, when required.

This should be followed by the record of every motion properly presented, whether it was adopted or rejected, with the name of the mover.

The name of the seconder should not be noted, unless required by special rule, as it is of no particular value, and makes the minutes most uninteresting reading.

When the vote is by ballot, and where there is a division, the number of votes on each side should be entered.

The names and manner of voting must both be taken down when the vote is by the yeas and nays.

The action taken on committee reports, with the resolutions recommended, are always noted, even tho the reports are filed.

The proceedings of a Committee of the Whole are kept on a separate record, and only the report made by the chairman, with the action taken on it by the assembly, entered on the minutes of the assembly.

When the minutes have been read, and approved by the assembly, the secretary attests them by signing his name at the bottom.

They continue open to corrections, but it is not wise, nor good parliamentary practice, to expunge from the minutes something which has been correctly entered.

Such a motion, when made, should be declared out of order.

If the meetings are held at frequent intervals, as once a month, the minutes are read and approved at the next succeeding meeting. In a convention, the minutes are read each day for approval.

When but one meeting is held during the year,

or for several months, they should be read and approved just before adjournment. The following is a form which will serve for the average meeting of a voluntary society:

Form of Minutes.

Minutes of the Excelsior Club, of Washington, D. C.

The regular meeting of the Excelsior Club was called to order by its President, Mr. Brown, on January 13, 1908, at 8 P.M., in the Study Hall of the Public Library.

The minutes of the preceding meeting, December 12, 1907, were read, corrected, and approved.

There were eighty-five members present.

The Corresponding Secretary reported the election to membership in the Club of Mr. Jones and Mrs. Smith.

The Treasurer reported ninety-five (95) dollars in the bank, and unpaid dues to the amount of forty (40) dollars.

The Committee on Relief of the Poor reported twenty-five visits made, and fifteen dollars and seventy-five cents ($15.75) expended in buying necessaries.

Recommended the appropriation of twenty (20) dollars for the work of the coming month.

Upon motion of Mrs. Stone, the recommenda-

tion of the committee to appropriate twenty (20) dollars for the work of the Committee on Relief of the Poor was adopted.

The special committee to whom was referred the resolution, "That we buy chairs for the hall," recommended the adoption of the resolution with the following amendment: "That the chairs be provided with wide arms for use of books."

On motion of Mrs. Green the amendment was adopted, and the motion, as amended, "That we buy chairs provided with a wide arm, for the use of books," was adopted by a unanimous vote.

The motion, "Resolved, That the study classes be continued during the coming year, under the same leadership as at present," was made by Mr. Brown, and seconded by Mr. Jones.

The previous question was moved by Mrs. Smith, and ordered by a vote of 60 to 15.

The motion, "That the study classes be continued during the coming year, under the same leadership," was lost.

The motion, "That the question of the rearrangement of the study classes be referred to a committee of five, appointed by the chair," was made by Mrs. Jones. Adopted.

The committee, as appointed, consists of Mrs. Jones, Mr. Smith, Mr. Brown, Mrs. Green, and Mr. Baker.

No further business being presented, the mo-

tion to adjourn was moved by Mr. Smith. Carried.

JENNIE SMITH,
Recording Secretary.

Approved February 1, 1908.
JENNIE SMITH.

Duties of the Treasurer.

The Treasurer has the custody of the funds of the organization.

The manner of caring for and distributing the money varies, and is always provided for by special rules.

He never pays bills, except on the order of the society or executive committee.

Permanent organizations provide an auditing committee, which passes upon the bills; warrants are then issued by the Recording Secretary and countersigned by the President.

The Treasurer reports to the organization at the annual meeting, and such other times as the by-laws require.

The report contains an itemized account of all receipts and expenditures.

Where the business of an organization is done entirely by a board of directors, the itemized account is submitted to it, and a general summary of receipts and expenditures, only, read to the full meeting.

The details of a financial statement are confusing to the average mind, and never make interesting reading.

It is the duty of the Auditing Committee to examine and pass upon them. Every officer who pays out money should obtain a receipt, as the receipts are the vouchers for the payments, and are preserved in regular order by the Treasurer, for future reference.

When the report of the Treasurer is read, if it has been passed upon by the auditing committee, a motion to accept or adopt it is made from the floor, thus:

"I move that the report of the Treasurer be accepted."

When seconded, stated, and put to vote, the result would be announced, thus:

"The ayes have it, and the report of the Treasurer is accepted."

The Treasurer is now relieved from further responsibility as to all matters contained in the report.

If, when the report is read, it has not been examined by the auditing committee, the chair would simply say, "The report is referred to the auditors for examination."

After they had retired, passed upon it, and returned to the hall, the chair would call upon them

for their report at the first opportunity; that is, when no question was pending.

Upon its presentation, a motion to accept the report of the auditing committee would be in order, and, when adopted, would have the effect of adopting the Treasurer's report, also.

The following is a general report, which may be altered to suit the needs of the particular society:

Form of Treasurer's Report.

The Undersigned, Treasurer of the Excelsior Club, of Washington, D. C., begs leave to submit the following annual report:

The balance on hand at the beginning of the year was forty (40) dollars and seventy-five (75) cents. There was received from all sources during the year, one hundred and twenty-five dollars and fifty cents ($125.50). The expenditures during the same time amounted to one hundred and ten dollars and twenty-five cents ($110.25).

Therefore, the balance on hand, January 1, 1908, is fifty-six (56) dollars.

A detailed statement of receipts and expenditures, containing the indorsement of the auditors, is attached hereto.

Respectfully submitted,

JOHN BROWN,

Treasurer Excelsior Society.

The detailed statement may be as elaborate as one wishes, or as simple; the only requisite being that it accounts for every dollar received and paid out, in such a way that it may be readily understood.

The signatures of the auditing committee on the statement are sufficient guarantee that they have certified to its correctness; or they may attach a certificate of their examination, with their signatures attached.

The following is a simple statement:

Excelsior Society, Washington, D. C., in account with John Brown, Treasurer:

1907	Dr.		1907	Cr.	
October 10, stationery		$15.00	Balance from 1906		$40.75
Nov. 15, gas bill		5.00	From dues		100.50
Dec. 15, rent of hall		50.00	Nov. 10, contribution		25.00
Dec. 25, janitor		5.00			
Dec. 25, Ass. Charities		35.25			
Balance on hand		56.00			
		166.25			166.25

Auditors' Certificate.

We do hereby certify that we have examined the accounts and vouchers of the Treasurer, and find them correct; and that the balance in his hands is fifty-six dollars.

James Monroe,
William Jennings,
Auditing Committee.

"Dictatorial powers are not to be assumed by the chair, except in cases of most gross and flagrant abuse of privilege. In almost every case, those who filibuster find that they have acomplished nothing, and that they have frittered away as much of their influence in the assembly, as of its time." CROCKER.

"A member has not a right to read even his own speech, committed to writing, without leave. This is intended to prevent an abuse of time; it is not refused where such abuse is not intended." THOMAS JEFFERSON.

CHAPTER XII.

DEBATE AND DECORUM.

"No member is to digress from the matter, by speaking reviling or unmannerly words. The consequences of a measure may be reprobated in strong terms; but to arraign the motives of those who propose or advocate it is a personality, and against order." THOMAS JEFFERSON.

BUSINESS is introduced in a deliberative assembly by means of a motion. Until that motion has been properly presented, seconded, and stated by the chair, it is not open to debate. Indeed, there is nothing to debate, because there is nothing before the house. The fact that a member rises, and suggests that something should be done along some especial line, does not bring the subject before the members in such a way as to give them the right to discuss it.

Even when a motion is properly presented, seconded, and stated by the chair, the assembly may

assert its privilege of disposing of it without debate upon its merits.

First, it may not be in order, and may be thrown out when the question of order is raised.

Second, it may not be debatable, either under the general parliamentary law, or by virtue of a special rule.

Third, the assembly may prefer to refer it immediately to a committee, postpone it to some other time, lay it upon the table until the assembly wishes to consider it, or, by means of the objection to its consideration, or indefinite postponement, may decline to consider it altogether.

The general rule is that all questions are debatable, as the object of a deliberative body is to arrive at a mature judgment of the majority by means of an unrestricted interchange of thought. The only exceptions permissible are based on the supposition that such exceptions are useful in facilitating the conduct of business.

The list of motions made undebatable are found in the black spaces in the diagram.

It will be readily seen that the restriction is based upon certain well-defined principles. Highly privileged questions are not open to debate, for the reason that if they were they could be used to prevent the assembly from coming to a vote on the main question; for instance, if the motion to adjourn were debatable, since it may be re-

newed after any intervening business, it could be used to hinder business almost indefinitely.

The right of debate is, therefore, incompatible with high privilege, and, in that connection, is allowable in few instances. Any motion, the object of which is to suppress a question for the entire session, thereby cutting off the privilege of debate on that question, is itself open to free discussion. The objection to the consideration might be called an exception to this rule, but it is, in reality, not, since it is a highly privileged motion, and requires a two-thirds vote in the negative to sustain it.

If two-thirds of an assembly do not want a question discussed, they should have the right of preventing it.

The motion to indefinitely postpone a question places it beyond the power of the assembly to recall during the entire session; therefore, it is not only debatable as to its own appropriateness, but opens up the merits of the whole question to debate.

The motion to postpone to a certain time removes the question under consideration until that time arrives; therefore, it is debatable as to the propriety of postponement only.

The motion to lay on the table lays the question away in such a manner that the assembly may return to it at any time it desires; therefore,

since it cuts off consideration only at the pleasure of the assembly, the motion itself allows of no debate.

The motion to commit would not be very debatable under this rule, except that when a question is referred to a committee for investigation, the committee has a right to know, and it is often important that it should know, the views of the assembly on the question; therefore, not only the motion to refer, but the entire question, is open to debate for this purpose.

Speaking by Sufferance.

While the right to debate accrues only after a motion has been moved, seconded, and stated by the chair, the distinction must be noticed between debating, as of right, and by permission, or sufferance, of the assembly.

Members may be allowed to speak when there is no question pending, by general assent, or by a majority vote, put upon a motion to that effect.

In legislative bodies, particularly, it is common for a member to give notice that he will deliver a speech upon a certain subject, and, when the hour arrives, makes his speech, and follows it with a resolution for action by the assembly.

Sometimes a member rises, and gives notice that he will present a motion, but proceeds to make a preliminary speech.

The person who formally seconds a motion sometimes gives his reasons for favoring the resolution.

This may be permitted by the members of an assembly, but it cannot be claimed as a matter of right, should an objection to the proceeding be raised.

Limiting Debate.

Debate is often regulated by special rules. Under the general parliamentary law it is limited to one speech upon any qustion, of about ten minutes' duration, as long as other members want the floor. After all have had an opportunity of speaking, then a second spech, of the same length of time, may be permitted each member.

Longer time, and more frequent speaking, may, of course, be permitted whenever it is desired.

If permission is granted by motion, such motion is undebatable, and requires a two-thirds vote. In debate upon an appeal from the decision, however, no one may speak but once; otherwise, the question before the assembly would be unreasonably delayed.

The speaker always addresses the chair, and confines his remarks to the question before the house.

He should state his opinions and views as clearly and concisely as is consistent with the subject

in hand, always bearing in mind the fact that he is talking to assist the assembly in arriving at a just decision, and not for his own gratification.

The mover of a resolution is given the preference, generally, and often asked to close the debate.

The chairman of a committee has the right to open and close the debate on resolutions recommended by the committee. The right to speak last, before the vote is taken, is not affected by the order of the previous question, or by any motion to limit or close debate.

This right probably does not extend to the mere acceptance of a report of a committee.

In case of the presentation of a minority report, the one making the report, or the one signing it, should be allowed to follow the chairman of the committee in opening the discussion, in order that all of the views of the committee may be before the assembly.

No member of the committee, however, has the exclusive right to the floor, and all must obtain it in the regular way.

By parliamentary courtesy, the member introducing the measure has the first right to the floor, even though another member has risen first and addressed the chair. He is also entitled to close the debate, after every other member has spoken who desires to do so.

No member may, of right, speak twice to a question until every other member has had the opportunity of being heard. Asking a question, or making some relevant suggestion, is not regarded as debate, and should be permitted always by the chair when it will result in enlightening the members on the subject under discussion.

Speaking to an amendment is not the same as speaking to the main motion, as it is a new and higher motion, and is, in reality, another question. A member who has exhausted his right to debate on the main motion may speak the full time to its amendments as they are offered.

The member who presents the motion may vote against it, but is not permitted to talk against it. He may, of course, oppose any amendment that is made, and state his change of mind in regard to the motion.

Yielding the Floor.

When a speaker yields the floor to another member temporarily, he does not thereby lose his right to finish his speech. The member desiring the floor for a temporary purpose, rises, addresses the chair, and asks for the privilege of speaking, in some such way as follows:

"Mr. President: May I be permitted to make a suggestion appertaining to the point the speaker has just made?"

The presiding officer would turn to the speaker and ask: "Will the member yield the floor for the purpose?"

If the speaker graciously yields, he should be given the floor by the chair, immediately after the other member sits down.

If, however, the speaker should yield the floor to another member without the knowledge of the chair, then he is not entitled to it again until all other members who wish to speak have had the privilege.

A member who has risen, and remained standing, while another is speaking, has no more right to be recognized by the chair than one who rises immediately after the speaker yields the floor.

Closing Debate.

It is proper for a deliberative assembly to adopt some measures for closing debate; otherwise, little might be accomplished during a session.

This right lies with the assembly, but should be used in a way to work no injustice.

It may be done by adopting an order "limiting debate" upon a special subject, either as to the length or number of speeches, or by an order "closing debate" upon the subject at a stated time, when the question, with all subsidiary motions, shall be put to vote.

These two motions, to limit, and to close de-

bate, may be applied to an amendment to the main motion, or an amendment to the amendment, as well as to the entire question; at which time, after the amendment was put to vote, the original motion, or amendment, would be open to debate again.

The debate may also be closed, and the vote forced, by the adoption of the order of the previous question. A motion to close debate does not prevent further amendments, as the previous question does; therefore, the former method is sometimes preferable, if the object is merely to stop the discussion.

The right to debate is not cut off entirely until the negative vote is put by the chair. If, for any reason, a member desires to speak further to the question, and debate has not been limited, or closed, by an order of the assembly, he may rise, address the chair, and obtain the floor, after the affirmative vote has been taken.

When the question is again put, the chair must take the affirmative, as though it had not been taken before.

The question cannot be reopened in this way when the vote is by ballot, or by the yeas and nays.

Decorum in Debate.

During the discussion of a subject the members refer to the officers of the assembly by their

official titles, and speak of other members so as to avoid using their names, as "the member on my right," "the member who spoke last," "the member from Ohio," or, "the Senator from New York," etc.

If the presiding officer should rise to give information, state a point of order, or, for any reason, the member speaking should immediately sit down, and remain seated until the chairman has finished.

If the speaker has been called to order, he must sit down, and remain seated until the point of order has been dcided. If his remarks were declared to be improper, he may not proceed without leave of the assembly, expressed by vote.

The motion to grant leave to continue does not admit of debate. The disorderly words of a speaker to which objection has been raised should be taken down by the member objecting to them, or by the secretary, then read to the offending member. If he denies them, then the assembly decides, by a vote, whether they were his words or not.

If he does not justify his language, or apologize for the impropriety, the assembly should proceed in some proper manner to protect itself against a recurrence of the trouble. If the disorderly words involve another member, they both should leave the room while the assembly deliberates upon the

case. Notice of such disorder must be taken down at once; if other business intervenes, it becomes too late to act upon them.

A member should not reflect upon any act of the assembly, unless he intends to close his remarks with a motion to rescind such action, or while debating a motion to rescind.

He must not indulge in personalities of any kind.

A member occupying the floor when an adjournment was taken has the right to it when the discussion is resumed.

One rising to a question of privilege has the right to the floor over one claiming it for an ordinary motion, or to take part in the debate.

The assembly has no right, even by unanimous consent, to withhold the floor from one who has a right to it. The reason for this is plain. Such an act would be purely tyrannical, savoring of monarchical institutions, whereas, every deliberative body is a pure democracy.

Each member has an equal right with every other member in all that pertains to the life and work of the body.

No member should cross the floor between the speaker and the chair, talk, or whisper, so as to prevent other members from hearing what is being done.

The calling of "Question!" "Question!" is not

in order, and in no way makes it incumbent upon the chair to put the question to vote.

When the chair asks, "Are you ready for the question?" then the response of "Question!" is not out of place, as signifying the desire for it.

In legislative, and some other bodies, the whole subject of debate is regulated by special rules, which supersede the general parliamentary practice.

Rights of the Assembly.

Every assembly has the inherent right to make and enforce its own laws, and to punish one who disregards them. The extreme penalty which it may impose is expulsion from membership.

When such a course has been adopted the assembly may protect itself by stating publicly that the person is no longer a member of its body.

It is not justified, however, in publishing the charges against the offending member.

The assembly has the right, also, of deciding who shall be present at its meetings, and the duty of ejecting such debarred persons falls upon the presiding officer.

In the pursuance of this disagreeable task he must not use more force than is absolutely necessary to remove them, for he alone is responsible for any injury that may result from such removal.

The assembly does not exceed its rights in prohibiting their presence.

The assembly also has the right to investigate the character of its members.

If a charge is made against a member, it may appoint a committee of investigation or discipline. Some permanent societies have a standing committee to which is referred all such cases. The report of this committee forms the basis for the trial of the accused member.

The member should be allowed to speak for himself and to introduce witnesses, if he desires.

The assembly can require any member to testify, under penalty of expulsion.

If the accused member is found guilty of conduct deserving expulsion from the society, he should be expelled only upon a two-thirds vote of the whole membership, or, at least, a two-thirds vote of a quorum.

Call of the House.

Legislative assemblies must have the power to compel the attendance of absent members. This is done by means of the "Call of the House."

It is seldom resorted to, except when a quorum cannot be obtained otherwise.

When a call is ordered, the clerk calls the roll, alphabetically, noting those absent. Then he calls

the absentees, asking for excuses; the door is locked, and no one is permitted to leave; the proper officer is given an order to bring to the bar of the house such members as are absent without leave. He brings the absent members, under arrest, to the desk of the chairman, and makes his return. The chairman then arraigns each one separately, asking for their excuses.

The member makes his defence, and a motion is made that he be discharged from custody and admitted to his seat, without paying the fees, or after paying them.

If the fees are assessed against him, he cannot vote, or be recognized by the chair, for any purpose, until after they have been paid.

"Voting is the most important business, since it is the consummation of the work of a deliberative body. Courts, when litigation arises with regard to the passage of a measure, will look to see whether it has been legally adopted in regular order, rather than to the previous disposition of subsidiary questions and rulings on points of order, though such minor matters will always be investigated, if the issue of the case requires it."

RUFUS WAPLES.

REVIEW QUESTIONS.

"The confusion which must arise from any irregularity in the mode of putting amendments is often exemplified at public meetings, where fixed principles and rules are not observed. It would be well to become familiar with the rules, which, tested by long experience, are as simple and efficient in practice as they are logical in principle."

PALGRAVE.

1. What is Parliamentary Law?
   It is the science of government of all organized bodies.
2. Into what two classes is it divided?
   The General, or Common, and Special.
3. Upon what is the Common law founded?
   It is founded upon common sense, reason and established usage.
4. What are the sources of common parliamentary law?
   The English Parliament, our National Congress, the State Legislatures, and necessary action in large assemblies.
5. What are some of the fundamental principles upon which this system of law is based, and which are recognized by the courts?

The equality of membership; free discussion; government by the majority; the rule of one thing at a time; and the general usages in the transaction of business.

6. What is special parliamentary law?
Rules adopted by a particular organization for its own use.

7. Does the special supersede the general law?
Yes, in all points where it conflicts with the general law.

8. What points are usually covered by special rules?
The appointment of meetings, regulations as to the election of officers, to fix the number necessary for calling the yeas and nays, the number constituting the quorum, limiting power of majorities, etc.

9. How is parliamentary law applied?
By means of motions.

10. How are motions classified?
There are four classes: Main, or Principal motions; Subsidiary, Incidental, and Privileged motions.

11. What is a Main, or Principal motion?
The statement of a proposition for the consideration and action of the assembly.

12. What are Subsidiary motions?
Subsidiary, or Secondary, motions are those

which assist in disposing of the main question.

13. What are Incidental motions?

Incidental motions arise out of other questions, take precedence of them, and must be decided before the questions from which they sprang.

14. What are Privileged motions?

Privileged motions are motions of urgency or necessity.

15. How are motions brought before the assembly?

A member rises, addresses the chair, and after he has been recognized by the chair, presents the motion in one of the following ways:

"I move the adoption of the following resolution:

"Resolved, That a vote of thanks be tendered to the Speaker for his most profitable address."

Or the briefer form:

"I move that we purchase new chairs for this hall."

16. Should all motions be seconded?

Yes, unless they pertain to mere routine matters.

17. When a motion has been made, and seconded, what is the next step?

It must be stated by the chair, in the following, or similar, form: "It has been moved, and seconded, that we purchase new chairs for this hall. Are you ready for the question?"

18. To whom does the motion now belong?

Before it is stated it belongs to the mover and his second; but after it has been stated it becomes the property of the whole assembly.

19. What is the third step in the progress of a motion?

Putting it to vote, which is accomplished in the following manner:

"The question is on the adoption of the motion, 'That we purchase new chairs for this hall.' All in favor say aye."

"All opposed say no."

20. After the vote is taken in both the affirmative and negative, what remains to be done?

To announce the result of the vote, which may be done thus:

"The ayes have it, and the motion is adopted"; or, "The noes have it, and the motion is lost."

21. Are all motions and resolutions debatable?

All main motions and resolutions are debatable, and some of the subsidiary and privileged.

22. If a motion is not satisfactory, how can it be perfected?

By amending or modifying it.

23. In how many ways may a motion be amended?

Three; by addition, by substitution, and by elimination.

24. How many times may a motion be amended?

There is no limit to the number of amendments which may be made.

25. How many amendments may be pending at one time?

Only two: an amendment to the main motion, and an amendment to the amendment.

26. May there be amendments to different parts of a main motion at the same time?

No.

27. How many votes are required to adopt a motion with two pending amendments?

Three: first, on the amendment to the amendment; second, on the amendment as amended; and third, on the motion as amended.

28. How many votes are required to adopt a motion with substitute amendment?

Two: first, on substitute amendment; then on motion as amended.

29. How may an assembly decline to consider a motion which has been properly presented?

Either by objecting to its consideration, by

means of that incidental motion, or by the indefinite postponement.

30. What is the result of the adoption of these motions?

The original main motion is suppressed for the entire session.

31. How do the motions, Objection to Consideration, and Indefinite Postponement, differ?

They differ in four ways:

First.—The Objection must be made before the original motion has been debated; the Indefinite Postponement may be moved at any time that no other Subsidiary motion is pending.

Second.—The Objection does not require a second, while the Indefinite Postponement does.

Third.—The Objection is not debatable, while the Indefinite Postponement opens up the merits of the whole question to debate.

Fourth.—The Objection requires a two-thirds vote in the negative to sustain it, while the Indefinite Postponement is adopted by a majority.

32. What two motions in parliamentary law are of equal value?

The indefinite postponement and the amendment to the main motion.

33. If the assembly cannot investigate a question, what means does it adopt to effect its purpose?

It refers the question to a committee, consisting of a small number, which investigates it for the assembly.

34. How is a committee appointed?

Either by the assembly or by the chair.

35. Who is the chairman of the committee?

The person first named, unless he is appointed by the chair or the assembly, or elected by the members of the committee.

36. How many kinds of committees are there?

Three: Committee of the Whole; Select, or Special; and Standing Committees.

37. What is the quorum of a committee?

The quorum of Special and Standing committees is always a majority; in Committee of the Whole it is the same as in the assembly.

38. What is a Standing committee?

It is a committee appointed to serve during the life of the session, or for some stated time, as a year.

39. Can a Standing committee appoint a sub-committee?

Yes.

40. Can a Standing committee recommend action by the assembly?

Yes.

41. What is a Select, or Special, committee?
A committee appointed for some special object.

42. How long does a Special committee endure?
Until the object for which it was appointed is accomplished.

43. How is a Special committee discharged?
It is discharged when it submits a full report of its work, or, when submitting a partial report, it may be discharged by a motion to that effect.

44. Must the members of a committee meet together before a report can be submitted?
Yes. There must be an actual meeting of a majority of the members. Communication by telephone is not such a meeting as the law requires.

45. May the motion to refer to a committee be amended?
Yes. By substituting one committee for another; by changing instructions; by changing number to serve on committee; and as to the time it shall report.

46. What is the effect of the adoption of the motion to commit?
The main question is removed from before the house until the committee reports.

47. May an assembly compel a committee to re-

port when no time for reporting was stated?

Yes. Either Standing or Special.

48. May a report be so amended by the assembly as to make the committee say what it did not say, or recommend a thing it did not recommend?

No. The report must stand as it was submitted by the committee; but resolutions to be passed upon by the assembly may be amended.

49. When is a motion to adopt a report in order?

If the report consists of facts stated, or work done, the report would be accepted. When the report closes with recommendations, then a motion must be made from the floor to adopt the recommendations.

50. Who should make that motion?

The chairman, or member of the committee who reads the report, should move its adoption before he takes his seat.

51. If there is a minority report submitted, how is it treated?

When the question has been stated on the report of the committee, before the vote is taken, the Minority may ask leave to present its report. If this is granted by the assembly, the Minority report is read, and moved as a substitute for the Majority re-

port. It is then in the nature of an amendment to the report of the committee, and must be voted on first.

52. What is the Committee of the Whole?

It is the whole assembly, resolved into a committee for the consideration of some particular question.

53. How is its chairman appointed?

When the motion is made that the assembly do resolve itself into a Committee of the Whole, the chairman is usually designated.

54. What two kinds of Committees of the Whole are in the National Congress?

The Committee of the Whole House, which takes into consideration private bills only, and sits on Fridays.

The Committee of the Whole on the State of the Union, which may sit on any day, and has charge of all public bills which require appropriation of money or property of the United States.

55. What advantage does it carry?

The rules of debate of the House do not govern, and one may speak as often as he can obtain the floor.

56. What motions may be made in Committee of the Whole?

Only to amend, to adopt, to rise and report,

and to recommend any disposition of the question thought desirable.

57. What advantage has the Committee of the Whole for voluntary assemblies?

It sometimes enables the friends of a resolution to secure a better chairman, prevents the debate from being stopped by the order of the previous question, prevents the question from being suppressed by laying it on the table, and secures full discussion.

58. Are the proceedings entered on the record of assembly?

No. They are kept on a separate record, and only the report as made by the chairman is entered on the assembly's minutes.

59. In what other ways may the consideration of a question be delayed?

By postponing it to a certain time, and by laying the question on the table.

60. What is the effect of postponing a question to a definite time?

If the motion is adopted, the main question is removed until the time to which it is postponed; but if the motion to postpone is lost, the main question resumes its original place.

61. To what time may a question be postponed?

To any time during the present session, and to the next succeeding session, where the ses-

sions are held at frequent intervals. There seems no reason, in the latter case, why it cannot be postponed to a meeting beyond the next succeeding session. In practice it is done.

62. What is the purpose of the Previous Question?

To close debate and to bring the question to an immediate vote.

63. Is it debatable?

No; and it requires a two-thirds vote to adopt or order it.

64. To what motions may it be applied?

To all motions that are debatable.

65. What is the form?

"I move the Previous Question"; or, "I call for the Previous Question."

It is stated thus: "The Previous Question has been moved and seconded. Shall the debate be closed, and the vote taken? All in favor, rise, and stand until counted."

"All opposed, rise."

"There are two-thirds voting in the affirmative. The Previous Question is ordered."

66. May its effect be limited to one or more of the pending motions?

Yes. It may be ordered on one amendment, or on both amendments, and stop at the main motion.

67. If the Previous Question is ordered when the main motion, two amendments, and a motion to commit is pending, what does it cover?

The effect is not exhausted until all of the motions are put to vote, without discussion.

68. When ordred on motions to Postpone, Definite and Indefinite, and motion to Reconsider, what is the effect?

Its effect extends only to the particular motion, and does *not* cover the main motion.

69. What is the function of the motion to lay on the table?

To lay a question aside, temporarily, in such a way that it may be taken up again at any time by a majority vote.

70. Is it debatable or amendable?

No. It is already in the simplest form.

71. What is the effect when adopted?

It takes the main motion, with all adhering amendments and subsidiary motions, to the table.

72. May an amendment be laid on the table?

No. An amendment cannot be separated from the motion it modifies.

73. If a question is laid on the table, and not taken up inside the time limit, what is the effect?

The effect is the same as though the question had been suppressed by an objection, or indefinite postponement; and if brought up again, must be presented as new business.

74. When a question is laid on the table, how long may it lie there, subject to call?

During the same and the next regular meeting.

75. May a motion be laid on the table for a month?

No. That is really definite postponement, which is debatable, and is a motion of lower value than to lay on the table.

76. What is the motion to lay on the table subject to call?

It is the same, in all respects, as the motion to lay on the table, except that it may be called for at any time without the formality of a vote.

77. How is a motion taken from the table?

By a motion, "That the question be taken from the table."

78. Does that motion have any privilege?

No. It can be made only when no other question is pending.

79. If the previous question is pending, may the main question be laid on the table?

Yes.

80. If the previous question has been ordered, may the main question be laid on the table?

Yes. The motion to lay on the table is higher in value; therefore, the lower motions yield to it.

81. What is the effect when a motion goes down under the order of the previous question?

It comes up exactly as it went down, subject to the order of the previous question, and must be put to vote without discussion.

82. What is the effect on the question if the motion to lay on the table is lost?

The pending question immediately resumes its place. If any subsidiary motions were pending, they are considered in their order. The motions to postpone and to commit are lost in the higher motion to lay on the table, if it is carried; but, otherwise, regain their places, and must be considered in their order.

83. When may a motion to take from the table, or a call to take up the question, be made?

Any time after other business has intervened, when there is no pending question, during the meeting at which it was laid aside, or at the next regular meeting.

84. What are incidental motions?

They are motions arising out of other questions, and must be decided before the question from which they sprang.

85. Are they debatable?
They are all undebatable, except the appeal.

86. How many require a two-thirds vote?
Two: To Suspend the Rules, and the Objection.

87. To what rules does the motion to Suspend the Rules refer?
To the rules of order, or standing rules; never to the by-laws, unless they contain a provision to that effect.

88. May the Constitution be suspended?
Never. It is the foundation upon which the whole structure stands, and if it were suspended, the organized body would cease to exist.

89. May the motion to suspend the rules be renewed the same day?
Not for the same purpose.

90. Must the motion be accompanied by the reason for wanting them suspended?
Yes. Always.

91. When is the motion "to withdraw a motion" useful?
When the mover feels that it would be wiser to withdraw it than to have it defeated or deferred in some way.

92. May it be withdrawn by silent assent?
Yes. But if there is one objection, the vote must be taken in the usual way.

93. May a motion be withdrawn after it has been amended?

Only by unanimous consent.

94. May a motion ever be divided?

Yes. By means of the motion, "to Divide a Motion," when it contains two or more propositions, any one of which, taken away, will leave a proposition capable of standing alone.

95. Will this motion admit of amendment?

Yes. It may be amended so as to divide the resolution differently.

96. What is the purpose of the motion to Read Papers?

It is used to bring before the assembly papers bearing upon the question under consideration.

97. May a member demand the reading of any paper as a right?

The only paper which he has a right to have read is the resolution, or paper, upon which he is asked to vote. That right is limited to a reasonable number of times.

98. What two classes of papers does the motion cover?

The papers under consideration, and the papers not under consideration, but which have a bearing on the subject.

99. When a member asks to read a paper, may the chair give consent?

The chair may say, "If there is no objection, the paper may be read"; but if one objects it must be put to vote.

100. When is the Objection to the consideration of a question raised?

The proper time is just after the main motion has been stated by the chair, altho it is the practice to raise it as soon as, or before, it is seconded.

101. Does the objection require a second?

No.

102. What are some of its peculiarities?

It is the only motion in parliamentary procedure sustained by a negative vote.

It is not debatable, and cannot be made after the question objected to has been discussed.

It requires a two-thirds vote in the negative to sustain it.

103. Why is it carried by the negative?

Because all motions must be put in the affirmative form, and the vote taken in the affirmative, first. This is really asking whether the question shall be considered, and the form of putting the objection is affirmative.

104. What is the form?

"The consideration of the question is objected to. Shall the question be considered?"

"All in favor rise, and stand until counted."

"All opposed, rise."

105. If there is a majority in the affirmative, what is the result?

The objection is not sustained, and the question will be considered. Raising the objection has had no effect on it.

106. If less than one-third vote in the affirmative, what is the result?

The question will not be considered; and since there are two-thirds voting in the negative, the chair says the objection is sustained.

107. Does the objection apply to all motions?

Only to the main motion, and when it is first presented.

108. What is the effect when it is sustained?

The main motion is suppressed, or thrown out, for the entire session.

109. When may a member appeal from a decision of the chair?

A decision of the chair may be appealed from on a point of order, a question of privilege, an interpretation of the rules, a decision as to a difference between members, etc.

110. Must an appeal be seconded?

Yes. There must be always two against the chair.

111. Is an appeal debatable?

Generally, but not when it relates to priority of business, to indecorum, to a transgression of the rules of speaking when an undebatable question is pending, or when the main question has been ordered.

112. How many times may a member speak to an appeal?

But once.

113. May the chair state the reasons for his decision?

Yes. He should always do so for the information of the members.

114. Should he leave the chair to speak on an appeal?

No; but he must stand while speaking.

115. May the previous question be ordered on an appeal?

Yes, when debatable.

116. May it be laid on the table?

Yes; but that has the effect of sustaining the chair.

117. May other dilatory motions be applied to it?

They all have the same effect of sustaining the chair, and are, therefore, useless.

118. If the vote is a tie, what is the result?
The decision of the chair is sustained.

119. May the chair vote on an appeal?
When the presiding officer is a member of the body he can never be deprived of his right to vote.

120. May the chair vote and make a tie?
Yes. He may vote with the affirmatives, make a tie, and in that way sustain his own decision.

121. How can the principle of a tie vote sustaining the chair be justified?
On the ground that the chair must decide certain questions, and when his decision is rendered it must stand, unless overthrown by a majority vote. A tie vote lacks one of being a majority.

122. May the vote on an appeal be reconsidered?
Yes.

123. What gives rise to a point of order?
Any infringement of the rules of the assembly, or interference with the comfort of the members.

124. Who may raise the question of order?
It may be raised by any member, or by the chair.

125. What is the usual form?
"Mr. President; I rise to a point of order."

126. Does it require a second?
No.

127. May it be discussed?
No; except to give information to the chair, and that must be given without taking the floor.

128. How does the raising of a question of order affect the offending member?
He must sit down, if he has been speaking, and all proceedings must stop until the question is decided by the chair.

129. Who may appeal from the decision?
The member raising the point, the one against whom it was raised, or any other member.

130. May the point of order be raised when another member has the floor?
Yes.

131. May the chair ever decide a point of order without submitting to an appeal?
Yes. When the assembly is dividing on a question, an appeal is held to be out of order; also when an appeal is already pending, if a question of order is raised, the chair must decide it arbitrarily.

132. What are Privileged Motions?
They are questions of such urgency or necessity as to command immediate attention, regardless of pending business.

133. Are they debatable?

No. High privilege is incompatible with debate.

134. What seeming exceptions are there to this rule?

The questions of privilege are debatable after they have assumed the form of motions, for then they resemble a main motion in several respects.

135. When may one call for the Order of the Day?

Whenever the hour has arrived set for some particular question, or when the program has been announced, and the time for its performance has come.

136. Does the call for the Orders of the Day require a second?

No. It is one of three motions which do not.

137. What is the duty of the chair when this call is made?

To proceed at once to the regular order, or to put it to vote for the members to decide if it shall be taken up.

138. What two kinds of orders?

General and Special orders.

139. What are General orders?

General orders cover the regular order of business, and any matters postponed from

members, tampering with the records, extending vote of thanks to officers and others, presenting invitations, quarrels between members, noise or other disturbance interfering with the proceedings, charges against official character of members, etc.

153. May questions of privilege, after becoming motions, be deferred, or otherwise disposed of?

Yes; but when deferred by the application of any subsidiary motion, they lose their privileged character, and when brought back are considered as any other motion.

154. What is the object of the motion to take Recess?

To provide for a limited adjournment.

155. When is it in order?

At any time that a motion to adjourn would be in order, and when the two higher motions are not pending.

156. If made when no other question is pending, is it debatable?

Yes; and also amendable. It becomes, in fact, an ordinary main motion.

157. When is the motion to adjourn in order?

At all times, except when a member is speaking from the floor, when the chair is stating a question or putting it to vote, during the verification of a vote, and if the

motion to fix time and place is not pending.

158. When the motion to adjourn has been made, are any other motions or business ever in order?

Yes; the motion to fix time and place, if they have not been arranged for. A question of privilege may be presented, point of order raised, parliamentary inquiries propounded, the method of fixing the vote on it be decided, the motion itself may be withdrawn, and a motion to enter reconsideration on the minutes may be made.

159. When is an assembly adjourned?

Not until the vote on the adjournment has been taken, the result announced, and the assembly declared adjourned by the chair.

160. When business has been interrupted by adjournment what is the effect?

When the assembly holds frequent regular meetings, it holds over as unfinished business to the next meeting. In case of adjournment during a convention, the business interrupted comes up immediately after the reading of the minutes at the next meeting. When the assembly holds but one meeting a year, or at infrequent intervals, all unfinished business falls to the ground.

In boards of directors, and other committees, where the terms of all or a part of the members expire, the business interrupted by adjournment fails entirely.

161. When is the motion to fix the time and place to which to adjourn a privileged motion?

When adjournment is imminent, and the time and place of the next meeting have not been arranged for.

162. Is it then debatable?

No; but it may be amended.

163. Is it ever an ordinary main motion?

Yes, if made when no other motion is pending, and is then subject to all the rules of the main motion.

164. Is it in order, after motion to adjourn has been made?

Yes; and after the vote on it has been taken, if the vote has not been announced.

165. What questions are in order when this motion is pending?

The same ones that are in order when the motion to adjourn is pending.

166. Does the motion to adjourn become a main motion, and debatable, when no question is pending?

No. It never is debatable, and never loses its privileged character.

167. What is its real object?
To prevent the assembly from being held in session against its will.

168. May it then be frequently renewed?
Yes; after any intervening business—even progress in debate.

169. Are there other motions besides the four classes on the diagram?
Yes. A few miscellaneous ones.

170. What is the object of the motion to Ratify?
To confirm some action previously taken.

171. Is it debatable?
Yes; and opens the question to be ratified to debate.

172. What is the object of the motion to Rescind?
To annul some action previously taken.

173. When is it generally used?
When it is too late to reconsider the vote by which the question was adopted.

174. Is it debatable?
Yes.

175. Is it good practice to rescind a motion and expunge it from the record?
No. Such defacing of past records is never justifiable.

176. When is it in order to close nominations?
When every member has had the opportu-

nity of nominating his candidate; not before.

177. What kind of vote is required to take up a question out of its proper order?

A two-thirds vote, as it is a virtual suspension of the rules.

178. Are the motions to limit, extend, or close debate, debatable?

No. They may not be debated, but they may be amended, and they require a two-thirds vote to adopt.

179. What motions may be renewed?

All of the Subsidiaries, except the amendments; all the Incidentals, except to suspend the rules for the same purpose; and all the Privileged motions, except the call for the orders of the day, after being defeated, may be renewed at the same meeting, when the state of affairs has been so altered as to really make it a new question.

180. May a motion which has been withdrawn be renewed?

Yes; for the assembly took no action upon it.

181. When may the vote by which a motion was adopted or rejected be reconsidered?

Any time during the same and the next succeeding meeting.

182. Who makes the motion to Reconsider?

A member who voted on the successful side. That may be either the affirmative or the negative.

183. Is the motion to Reconsider debatable?

Yes; if the motion, the vote on which is sought to be reconsidered, was debatable; otherwise, not.

184. What is the effect when it prevails?

The original motion is brought back in exactly the same condition that existed before the vote on it was taken.

185. May it then be disposed of in any other way than by taking the final vote?

Yes. It may be deferred, referred, etc.

186. If a member had exhausted his right to debate before the vote was taken, could he still discuss it when reconsidered?

No. It is in exactly the condition that it was before, as regards debate and other things.

187. If the previous question had been ordered, what is the effect of Reconsideration?

If the effect of the previous question had been exhausted before the vote was taken, it is divested of its effects when reconsidered; but if the previous question was not exhausted, then the main motion would still be under the order, and the vote on it

the second time must be taken without debate.

188. To what motions may the motion to Reconsider be applied?

To all motions, except those which go into effect at once, viz.: To adjourn; an affirmative vote to lay on the table; an affirmative vote to take from the table; to suspend the rules; and an election to office of one who is present and does not decline.

189. What motions may be applied to it?

The prevous question, when debatable; to lay on the table; and to postpone to a certain time.

190. When it is laid on the table, do the original questions go with it?

No; and when laid on the table it is never taken from the table.

191. To what time is its suspensive effect limited?

To the session, when holding daily meetings, and to the close of the next regular meeting, or to the close of an adjourned meeting, if held on a different day.

192. Can a question be reconsidered the second time?

Yes; if it was amended when first reconsidered.

193. To what motions does the motion to Reconsider yield?

To all Incidental and Privileged motions, except the Orders of the Day, if it was made when no other business was pending.

194. What is meant by having Reconsideration entered on the minutes?

That is a highly privileged motion, which may be made without a second, when another member has the floor. The chair directs the secretary to enter it on the minutes.

195. Who may call for it after it has been entered on the minutes?

Any one may call for it, when no business is pending, at the same meeting. Only the mover, at the next meeting.

196. When called for, after having been entered on the minutes, to what does it then yield?

Only to the motion to adjourn, and to fix time and place to which to adjourn.

197. When called for, how may it be treated?

As any other motion; and if interrupted by adjournment, holds over as unfinished business.

198. What effect has the motion upon the question sought to be reconsidered?

It is held in abeyance until the motion to Reconsider is disposed of.

199. May a motion to Reconsider be made in a committee?

Only when all the members who voted on the prevailing side are present. It is not, however, limited as to time.

200. What is the most important act of any assembly?

Voting.

201. In how many ways may a vote be taken?

Six: Silent assent, used in routine matters; by voice; by raising hands; by standing; by ballot; and by the yeas and nays.

202. What is the purpose of the ballot vote?

To secure secrecy.

203. What advantage has the yeas and nays?

In taking a vote by yeas and nays, the name of each member, and the manner of voting, is entered on the minutes. The record of each vote is thus preserved for future reference.

204. When a vote is taken by ballot, and is not unanimous, may it be made so by a motion to that effect?

No. The record must show the result of the ballots, which constitute the vote.

205. Is the motion that the secretary cast the ballot for the candidate proper?

It is used a great deal, but all authorities

agree in saying that it is a violation of the spirit and letter of the principle upon which the ballot vote is based, and should be declared out of order by the chair.

206. How else may it be defeated?

It can be used only by unanimous consent, and one objection would defeat it; but no member likes to publicly object, as it makes him appear to object to the candidate.

207. Can one vote by proxy?

Only as provided by special rule.

208. What is the casting vote?

It is the vote cast by the chair in case of a tie.

209. Can the presiding officer always vote?

He has no vote when not a member of the assembly, unless the privilege is given him by special rule.

210. What is a quorum?

It is the number of members legally competent to transact business.

211. What is a common law quorum?

A majority.

212. What is the quorum of legislative assemblies, generally?

A majority.

213. When less than a quorum is present, may any motions be made?

None, except the motions to adjourn.

214. May the debate continue?

Yes; but no vote can be legally taken.

215. If the absence of a quorum is not noted?

That makes no difference so far as the legality of the vote is concerned. If it is found later that no quorum was present, the vote could be declared illegal.

216. What is the quorum of a committee?

A majority.

217. Of a Committee of the Whole?

The same as of the assembly.

218. How many kinds of assemblies?

Three: Voluntary, Representative, and Legal.

219. What are Voluntary assemblies?

An organization of persons voluntarily come together for some specific purpose.

220. How do they differ?

They may be either occasional or permanent.

221. Define each.

The occasional assembly is one organized for some purpose specified in the call, generally of local interest. When the purpose is accomplished the organization ceases to exist.

A permanent assembly is one which meets at certain regular times fixed by its con-

stitution, by a statute, or by the constitution of the State.

222. What is a Representative assembly?
One whose members are delegates from lower, or branch bodies.

223. What are Legal assemblies?
They are created by law, or by the operation of law. Their members are elected, or appointed, according to the provision of the law creating them.

224. What two kinds of organization as to time?
Temporary and permanent.

225. When is a Temporary organization sufficient?
When the members are called together for some single act.

226. By what is a Permanent organization preceded?
By a Temporary organization; and the two are known as Double organization.

227. May any business be transacted under the Temporary organization when a Permanent organization is contemplated?
Nothing whatever, except the preliminary business necessary to complete the Permanent organization.

228. When is Dual organization necessary?
When the assembly is composed of two branches.

229. When is the constitution and by-laws adopted?

Usually at the second meeting, at which the committee which was appointed at the first meeting reports.

230. What is the manner of their adoption?

They are read first by the chairman of the committee, or the secretary; then the chair directs the secretary to read the first article, and asks for amendments. If there are any, they are acted upon. Then he calls for the second article, and asks for amendments; and so on, until all the articles have been considered. Then the secretary is directed to read the whole constitution as amended. Amendments are then asked for to any part of it. The vote is put upon it as a whole. The by-laws are treated in the same way.

231. What should a constitution contain?

Only the essentials of organization: name, object, qualification of members, officers, executive committee, annual meeting, and provision for amendment.

232. What should be in the by-laws?

All the details of the organization which are too important to be left to the will of the majority at any meeting.

233. How should both be amended?

By a two-thirds vote, after previous notice, given in writing.

234. What are Standing Rules?
They are resolutions of a permanent nature, adopted by a majority at any regular meeting.

235. May they ever conflict with the constitution or by-laws?
No. If they should, they are null and void.

236. What are Rules of Order?
The regular order or program of business adopted by the assembly.

237. How are officers usually elected?
By ballot, or secret vote.

238. May nominations be made from the floor?
Always, unless the constitution or by-laws explicitly state that they shall be made only by a committee appointed for that purpose.

239. How are skeleton resolutions filled?
By nominations.

240. Are nominations voted on one at a time?
No. The only fair and just way is for them to be voted on all together, either by ballot, division, or some other way which gives no advantage to the first ones named.

241. What is the purpose of the Informal ballot?
Either to test the strength of the rival can-

didates, before proceeding to the real vote, or to secure names for candidates.

242. Is it ever in order to make the informal ballot the formal ballot, by motion?

No, if the rules of the assembly call for a ballot vote.

243. What officers are essential to every organization?

A president, to direct the deliberations, and a secretary, to record the action taken.

244. May there be other officers?

Yes. Each organization provides for its own needs.

245. What are the duties of the officers?

They are always enumerated in the special rules.

246. Who keeps the Minutes of the assembly?

The Secretary; but they are open to inspection by the members at all times.

247. How may a member be punished for violating the rules of the organization?

By censure, and, in extreme cases, by expulsion from the society.

248. Has the assembly the right to investigate the character of its members?

Yes.

249. What is the Call of the House?

It is the method used by legislative assem-

blies to enforce the attendance of absent members.

250. If fees are assessed against them, what is the effect?

They cannot vote, and are not recognized by the chair for any purpose until the fees are paid.

"The rules of the assembly may be so abused as to create disaster and impede business, instead of facilitating it. In such event, the chairman may decline to accept any dilatory or obstructionist motions, and put only such motions as will expedite business." AINSWORTH.

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